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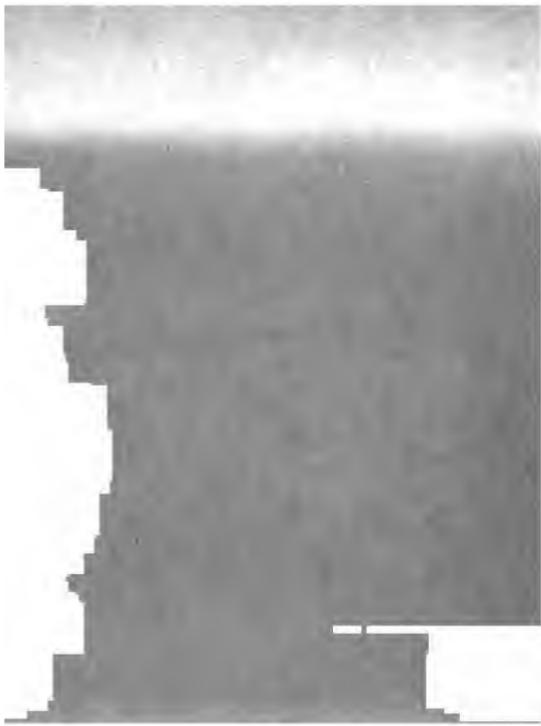
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THE
HISTORY OF NORTH AMERICA

Guy Carleton Lee, Ph. D.

of

Johns Hopkins and Columbian Universities, Editor





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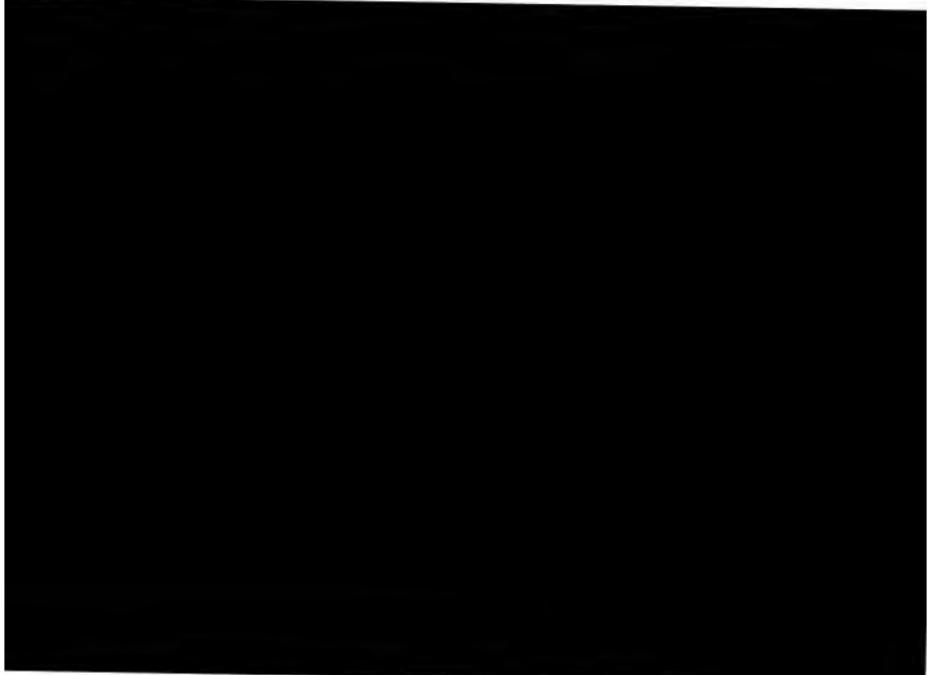






JACQUES CARTIER

From the painting in the Hôtel de Ville at St. Malo, France.



THE HISTORY OF NORTH AMERICA
VOLUME ELEVEN *CANADA AND BRITISH
NORTH AMERICA*

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EDITOR'S INTRODUCTION

THE history of the United States is so interwoven with the history of Canada that every American must possess a working knowledge of the progress made by the Dominion if he would properly understand many of the important phases of the development of the United States. It is, however, from the Canadian and not the American standpoint that the account of the history of the British possessions in North America must be viewed if one is to have a correct estimate of the reciprocal influences exerted by the United States of America and the Dominion of Canada and a fair judgment of the policies and achievements of these two great governments.

These statements will not meet with denial from either intensive or extensive students. Both classes of scholars will admit, with more or less readiness, the importance of a knowledge of Canadian history to every dweller in the United States and yet neither will take steps to bring that knowledge to the general reader, though some historians, indeed, will go so far as to admit our postulate that a knowledge of Canadian history is almost as important to citizens of the United States as a knowledge of English history. No student can acquire that knowledge either from the usual histories to which the general public has ready access, or from those which the students in institutions of learning are obliged to study. The information given in general histories of the United States is inadequate and in school

histories, dealing with the same subject, of little extent or value. With these facts in mind, I determined to present in this history of North America a clear exposition of Canadian history from a Canadian standpoint. Such an exposition in fact as would not only give to Canadians a satisfactory retrospect of the progress made by their country but also give to Americans an adequate conception of the events whose sequential narration is as much a part of the history of North America as is that of the United States.

I was particularly fortunate in securing the co-operation of distinguished Canadian scholars in making choice of an author for the present volume, and I believe that our selection has been justified, for Dr. Munro has shown a nice judgment in the selection of points of stress, a happy faculty of expression and withal has written from the point of view of a Canadian to whom his country is a great and important unit in the sum of American progress.

The volume, after describing the country where England and France were to contend for mastery, recounts the earliest voyages of which we have trace, and then with clearness and force tells the story of the several provinces that have now

a rule shown little appreciation of the relative importance of political movements in the governmental history of Canada. With politics Dr. Munro exhibits exceptional familiarity. He places before us the spirit of the various movements whose steps led to the present governmental structure of Canada. The exposition is luminous and clear. So, too, is that third portion of the history—that portion which embodies the presentation of the Canadian government of to-day and sets forth the state of the people under its control and the land in which they live.

I may, therefore, in conclusion recommend most highly this volume of **THE HISTORY OF NORTH AMERICA** because of its vigorous style, its clear grasp of the facts, and its accuracy of conclusion, all combined with a breadth and depth of learning which causes confidence to walk hand in hand with appreciation.

GUY CARLETON LEE.

Johns Hopkins University.



AUTHOR'S PREFACE

THE annals of the Canadian people are of interest and importance from at least two distinct points of view. In the first place they have that natural interest and importance which every free people are wont to attach to the history of their own land; in the second place they present what is perhaps the best extant material for the comparative study of French and British colonial systems in their political, social, and economic aspects. It has been my aim, so far as it has been practicable so to do within the limits of a single volume, to make this work at once a history of the Canadian people and a general analysis and comparison of French and British colonial policies as exemplified in the northern half of North America. This latter action has seemed to me to be justifiable not alone because of the intrinsic importance of the subject itself, but because, as De Tocqueville says, "the physiognomy of a government may be best seen in its colonies." And nowhere as in Canada may one study to such good advantage the logical working out of the Latin and Teutonic types of colonization and colonial administration. Believing as I do that history is not alone "past politics" but a narrative as well of the social and economic life and development of a people, an endeavor has been made to give due prominence to these latter features.

The volume, it may be said, makes no claim to originality either as regards the matter which it contains or as regards the method of presentation. The greater part

of the source materials in the field of Canadian history have been so well worked over by careful investigators that it seemed needless to glean where they have garnered. To such general works as those of Lescarbot, Charlevoix, Ferland, Faillon, Garneau, Parkman, Christie, Sulte, McMullen, and Kingsford, as well as to the special works of Harrisse, Casgrain, Martin, Lorin, Gravier, Dionne, Doughty, Turcotte, Dent, Read, Lindsey, Edgar, Biggar, Pope, Willison, and many others, my obligations are great and obvious. Still I have not hesitated to go to the sources whenever the necessity or even desirability of so doing appeared. Had the symmetry of the series so permitted, the various works from which material has been derived would have been definitely indicated in footnotes; in this matter as in others, individual judgment has been obliged to defer to the opinion of the general editor and his associates.

Many kind friends have given cheerful assistance in the acquisition of material for use both in the text and in the illustrations: to all of these grateful acknowledgment is made.

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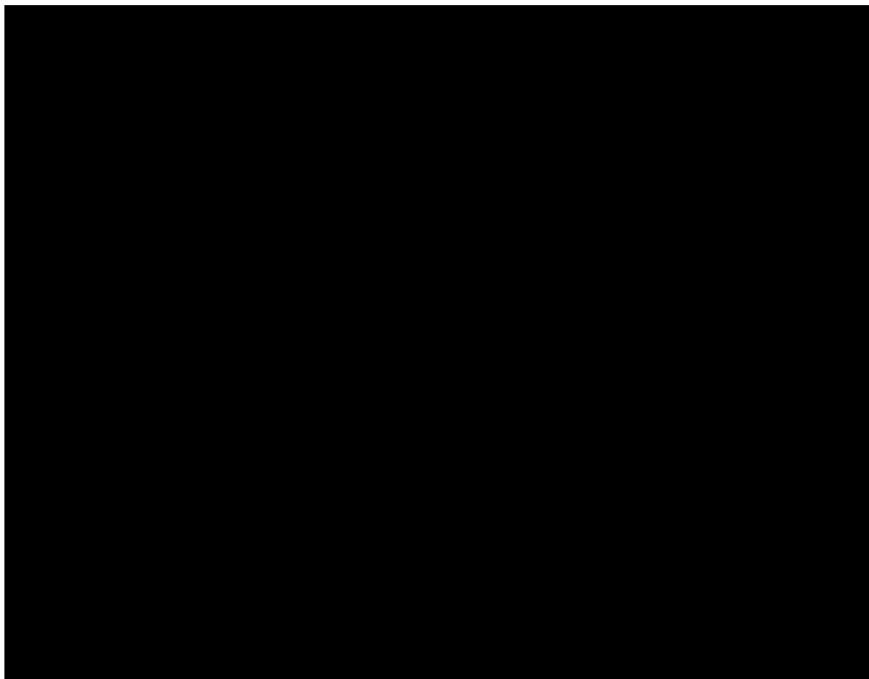
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CANADA
AND BRITISH NORTH AMERICA

MUNRO



CHAPTER I

INTRODUCTORY

THE history of any people will depend mainly upon two factors: their mental and moral stamina and their physical environment. Different historians have laid varying degrees of stress on the one or other factor, but seldom has either been wholly neglected. Buckle, for example, seeks to attribute almost all differences in historical development to differences in the physical configuration and climates of different lands. The other school, of which Freeman may be taken as a good example, seeks explanation of diversities in historical development in the well-known differences between the mental and moral make-up of diverse races. The truth probably is that in the history of no country has either factor been the sole influencing force. In some, the physical features have undoubtedly played the more important part. Egypt, with its overflowing Nile, or Switzerland, with its circle of towering mountains, are good examples of such. But in other cases, the inherent qualities of the race have been fully as influential, as may be seen by studying the history of almost any of the Latin-American republics.

In the history of a State like Great Britain, it is difficult to estimate the relative strength of the two factors, for both have profoundly influenced the historical development of the Island Kingdom. Her insular position, giving her, as it has done, comparative freedom from external danger, and so

obviating the necessity of maintaining a standing army, has been one of the most powerful agents in the development of British liberty. But for this, the political England of the Stuarts might not have differed so greatly from the France of the Bourbons. There has been no more potent feature in the growth of popular government than the twenty miles of Channel which lie between England and her nearest Continental neighbor. Again, the great mineral resources of Great Britain have almost of themselves marked out the course of her economic history. But one may not altogether neglect, in tracing British political development, to take account of the influence exerted by that deep spirit of democracy which the Anglo-Saxons brought with them from their Continental homes: that strong faith in local self-government and that strict conservatism in political matters which have been their marked characteristics since the days of the Heptarchy. Neither physical nor moral factors alone suffice to interpret the history of the British people, nor will either by itself explain the somewhat unique development of Canadian history. Hence, it may be well at the outset to examine some of the main physical features of the country as well as to notice the main sources from which the population of the colony has been drawn.

Speaking generally, Canada may be divided into the basin of Hudson Bay, the Basin of the St. Lawrence and the Great Lakes; the basin of the St. John; the basin of MacKenzie River and the two slopes of the Atlantic and Pacific Oceans. The first of these, the basin of Hudson Bay, is much the largest, comprising, as it does, parts of Ontario, Quebec, Manitoba, and the Northwest Territories. While the territory is for the most part level, and the soil well wooded and fertile, the climatic conditions, except in the southern part of the basin, have been such as to prevent any considerable settlement. Even at the present day there is little agriculture throughout the whole basin, lumbering, fishing, and fur trading occupying the attention of the small population.

The basin of the St. Lawrence and the Great Lakes has been, for the greater part of three centuries, the most important area of Canadian activity. This great valley, extending over twelve hundred miles, afforded attractive location for settlement from the very outset, and hence soon became the centre of population. The whole valley, with the exception of a fringe north of Lake Superior, is extremely fertile and well drained. The climate corresponds to that of northern England, Scotland, north Germany, and Denmark, the annual temperature averaging between forty and fifty degrees. The air is dry, yet rainfall is ample for mixed farming, and the elevation above the sea level is sufficient to make the whole valley extremely healthful as a seat of population. This great region has been at successive stages the centre of the fur trade, the agricultural centre, and the industrial and commercial centre of the colony. It was from this region that the timber was first cleared, and here the lands were first made to yield the colony its subsistence. This basin is separated into two parts by the valley of the Ottawa, which forms the boundary between Upper and Lower Canada, or what are now known as the Provinces of Ontario and Quebec. The latter of these, owing to its nearness to the Atlantic entrance to the colony, was the first to be settled. Settlements were made at Quebec and Montreal, and before long the newcomers spread themselves along the northern shore of the St. Lawrence between these two points. It was not until the second generation that lands were taken up in any considerable area on the south shore of the river.

The earliest settlers—for the most part employés of trading companies—were almost exclusively Normans. The merchants of Dieppe and Rouen controlled the bulk of the trade with the colony in its earlier years, and during the seventeenth century a considerable number of settlers came to Canada from these ports. Down to 1640, not more than half a dozen families had migrated to the colony from other than Norman ports. An examination of the

parish registers of Quebec, which have been most diligently and accurately kept from the outset, shows that Canada began her history with an almost unmixed infusion of the "conquering blood of Normandie." After 1640, a small band of Angevins settled in Montreal, but there were apparently no women among them, and most of their number married the daughters of the Norman settlers. Had the colony been left permanently in the hands of the Rouen and Dieppe merchants, it seems certain that its population would have been thoroughly Norman, but in 1663 the control was taken from the company. At once an influx of settlers from other parts of France began, small parties coming from Picardy, Poitou, and Gascony to take up lands in New France. This opened up a new phase in the history of immigration; for, while the Norman element in the colony was strong, it was unable completely to assimilate the non-Norman settlers, who now began to arrive in larger numbers. Many of the newcomers were from Paris and the surrounding districts, but these were for the most part government officials, priests, traders, and others, who did not take up lands. When the French regiments of regular troops were disbanded in the colony, both soldiers and officers married either colonials or women whom the king had sent out to New France in considerable numbers during the years 1667 to 1672. The colonial church registers show that more than half of these gave Normandy as their place of birth, so that Norman blood suffered no diminution in strength by this immigration. Of the total population of New France in 1680, estimated at somewhat less than ten thousand souls, it is probable that at least four-fifths were either of Norman birth or of Norman descent, or had married Norman wives.

During the next three-quarters of a century there was a steady influx of settlers from various parts of France; almost every province contributing its quota. But Normandy sent many more than its share, and the Norman population in the colony increased with striking rapidity owing to the

high birth rate. The Norman settlers went on the land more readily than the other immigrants, many of whom took up residence in the towns to engage in trade. And when the colony passed into English hands the exodus to France was mainly of officials, priests and townsmen. Few went from the rural districts. Thus it was that the Norman element retained its decisive predominance down to and after the conquest. Thus it is that the French-speaking communities of Canada to this day employ, almost exclusively, the Norman accent and forms of speech. The Normans of the seventeenth century were a sturdy, thrifty, and industrious stock, admirably fitted for the task of pioneer life in new lands. Their one great defect seems to have been their proclivity for disputing among themselves, and throughout the whole of the French régime complaint was made by the officials of the extreme litigiousness which prevailed. The law courts were kept busy settling the most trivial matters, for the long winters gave the population ample scope to indulge in bickerings of all kinds. In both the Indian and English wars, the Norman *habitant* proved himself an excellent fighter, daring to a fault, and capable of enduring the most severe hardships. But in the arts of peace he was conservative, unambitious, and even unprogressive. This was due, no doubt, to a marked lack of initiative, but the administrative system under which he lived both in Old France and New, was not such as to afford him much opportunity for economic advance even had he been progressive. An unwavering loyalty both to his sovereign and to his church characterized the *habitant* at all times, and the rigorous demands which both made on his time and means placed him under a serious handicap in his struggle for a comfortable subsistence.

The St. Lawrence and Lake basin westward of the Ottawa Valley was practically unsettled at the time of the conquest. The French had established their trading posts at several points, which were deemed to possess strategic value or to be favorably located for controlling

the fur traffic with the Indians. But at none of those points did they ever make serious attempts to establish permanent settlements. It was always the policy of the French authorities to confine the settled area in such way as to make the defence of the colony as easy and as inexpensive as possible. Hence, with the exception of a small tract of territory along the southern shore of Ottawa River, Upper Canada, or what is now Ontario, had remained practically free from French influence. After the colony passed into British hands, settlers came out in considerable numbers from Great Britain, and many of these pushed along into the Upper Province to carve out homes in the wilderness, choosing to do this rather than to settle among strong alien influences. But the great influx into this part of the colony came during the last quarter of the eighteenth century when the result of the Revolutionary War in the British colonies to the south drove the Loyalists into Canada. Assisted by the colonial and home authorities these settled in thousands along the north shores of the Upper St. Lawrence and Lake Ontario and soon the vast wilderness became dotted with thriving settlements. As a

colony after the war of 1812-1815, and the members of these formed some settlements which, to the present day, are thoroughly Scotch in characteristics and traditions. After the potato famine in the later forties large numbers of Irish exiles made their way to Canada and distributed themselves more or less equally all over the province, which by this time had passed through its critical infancy and was rapidly gaining economic and political vigor. From this poverty-stricken but virile race Canada has bred some of her most distinguished sons. Orators, statesmen, and poets are to be found among them in goodly number. During the last half century there has been little influx into Upper Canada from other than British sources. In the western part of the province two counties have been settled and are still dominated by German Protestants, but the vast majority of the people are still of direct English, Scotch, or Irish descent.

The third geographical division, the basin of the St. John and the Nova Scotia peninsula, together with the Island of Cape Breton and Prince Edward Island, form the territories which, during the old régime were indefinitely known as "Acadia." The valley of the St. John, comprising with the Atlantic slope what is now the Province of New Brunswick, is an extremely fertile tract, and for a considerable period was the centre of a profitable lumber trade. The land is well adapted for mixed and dairy farming and these branches have long been making good progress. Various minerals are found, but not in great abundance, and industrial development has not been so rapid as was hoped. An excellent harbor at the mouth of the river has been utilized as one of the great winter ports of the Dominion. The Nova Scotian peninsula is, perhaps, not so well adapted for agricultural development, but possesses valuable coal deposits which have been considerably utilized. The rich fisheries of the Bay of Fundy have likewise been of great advantage to the people. The spacious harbor of Halifax has afforded the province an excellent outlet to the sea. In

both New Brunswick and Nova Scotia the climate, while somewhat more moist than that of the inland provinces, is decidedly salubrious and compares favorably with that of most parts of Great Britain. In providing abundant wealth in the form of forests, mineral deposits and fisheries, and in giving them some of the best harbors on the whole Atlantic coast, Nature has done much for the Maritime Provinces. Cape Breton possesses unusual facilities for the development of the iron and steel industry, it has large coal and iron deposits, and the harbor of Sydney is admirable. It is only of late, however, that these natural facilities have been utilized to any considerable extent. Prince Edward Island, though small in area and without important natural gifts, is not behind the sister provinces in fertility of soil and favorableness of climate.

Acadia proper, by which is meant the Nova Scotian peninsula alone, was partly settled during the French régime. Where the settlers originally came from is a mooted question, and no one has yet satisfactorily demonstrated that they emigrated from any one part of France. Mr. Benjamin Sulte, the erudite and untiring investigator of all ques-

himself to be drawn into open warfare against his new suzerains. The Acadian became an agriculturist, possibly more readily than his Canadian compatriot. This may have been because the profits of the fur traffic in Acadia were not so great as to tempt the people from the cultivation of the soil.

The expatriation of the Acadians drained the country of its first European inhabitants, but a considerable number of the exiles found their way back in the course of years, and to the present day some districts contain many of their descendants. Before the expatriation very few persons of British origin had settled in the peninsula, but after the close of the Seven Years' War settlers began to come in considerable numbers. Not a great deal of progress in the way of settlement had been made, however, when the outcome of the Revolutionary War gave the Acadian provinces their share of the Loyalist migration. The number of United Empire Loyalists who came over during the last quarter of the eighteenth century ran well up into the thousands and, as in Upper Canada, they formed an admirable class of colonial pioneers. During the last century there has been a steady but rather small influx of immigrants almost exclusively from the British Islands, so that the population of the Maritime Provinces has been comparatively homogeneous. In Cape Breton and some districts of Nova Scotia the Scotch element is predominant, but for the most part the three British races are quite equally divided.

The fourth geographical division of Canada, the prairie section, sloping eastward to Hudson Bay and northward along the Peace and Mackenzie valleys, rising again, on the west toward the Rocky Mountains, comprises what are now known as the Northwest Territories. Within the last quarter of a century these have been organized and given a political administration; the territories of Assiniboia and Alberta are the most southerly, bordering on the American boundary from Manitoba to British Columbia. Of these Assiniboia comprises a vast expanse of the most fertile prairie, splendidly adapted for the growing of wheat and

other grain, while Alberta possesses special attractions for both grain farming and ranching. Just above these come the Territories of Saskatchewan and Athabasca, both including thousands of square miles of well-watered prairie lands. The former has abundant possibilities as a grain growing country and the latter is as well endowed by nature as many lands which have in times gone by supported a considerable population in comfort. Still further toward the Arctic circle, lie the Territories of Mackenzie and Yukon. The former is to the present day an almost unknown wilderness, containing almost no white population save a few missionaries and traders. The Yukon has recently been found to possess considerable mineral wealth and the exploration of this has during the last few years engaged the attention of a growing population. Finally, there is the huge district of Keeewatin comprising the long strip of territory which extends around the western shore of Hudson Bay and south to the northwestern boundaries of Ontario.

The Territories have few attractions except a fertile soil to offer the immigrant. The climate in all is severe; but it possesses a dryness which minimizes the discomfort caused by the extreme cold. There are reasons for believing that the mineral wealth of some of the Territories is considerable, but only the future can verify this belief. Timber is not present in abundance and this must operate as a disadvantage in the development of the country. Still the influx of settlers has been large, especially during the last decade. Part of the influx into the Territories has been at the expense of the older parts of the Dominion, but the new lands have drawn upon Europe to no inconsiderable extent. And while most of the European settlers have been of British origin, the disposition of the Canadian government to make a propaganda of western resources has served to bring in large numbers of Galicians, Icelanders, Doukobhors, Finns, and other non-British people, the assimilation of whom will be a matter of more or less difficulty. A hopeful sign, as far as Canada is concerned, has been the

recent inflow of settlers from the United States. This, if it continues, will easily offset the influence of the foreign element in the Territories. The Indian population is not, comparatively, large and may almost be left out of account. Practically all the Indians are kept on reservations and are partially maintained at the public expense. The race will undoubtedly become extinct in time. A quarter of a century or more ago, there was a good deal of intermarrying between French traders and Indians and this has resulted in the presence of a considerable number of "half-breeds" or Metis. Like most hybrids this race seems to possess the bad qualities of both parent stocks, and on two occasions the Metis have been the cause of much trouble and expense to the Canadian authorities. But the hopes of contemporary Canada are centred in her great Territories of the Northwest. And with good reason, for this vast expanse possesses almost boundless possibilities. It is there, more than in any other part of the world, that Britain is to-day "making Empire" in its truest sense.

"On the Western slope are three excellent harbors, at Victoria, Vancouver, and Esquimalt. The harbor at Vancouver serves as the terminal of the large steamships which carry the traffic of the Canadian Pacific Railway to and from the Orient, while the harbor at Esquimalt serves as the base for the British North Pacific squadron. At this point the British and Canadian governments have constructed at an enormous expense, a splendid graving-dock, capable of accommodating the largest battleships."

The last division of British North America is the Pacific slope. This tract is occupied by the Province of British Columbia and by the southern part of the Yukon Territory in so far as it lies in British hands. The United States Territory of Alaska stretches down the coast for a long distance. All this territory is rocky, a great deal of it unfit for cultivation. The great valleys offer some opportunities for agriculture and cattle raising, but it is mainly to its mineral wealth that the slope owes its economic progress.

British Columbia and the Yukon are by all means the foremost mining sections of the Dominion of Canada, and it is altogether probable that very little of their potentialities in this direction have as yet been exploited. The salmon fisheries of the British Columbia rivers have long been a source of employment to thousands, and the deep sea fisheries of the coast are of growing importance. The climate of the province is well suited to the great occupations of the people and leaves little to be desired in this direction. Like the Territories, British Columbia has been peopled largely by settlers of British descent, and with but two exceptions there is no considerable foreign element among its people. These exceptions are the Chinese and Japanese, who have flocked into the province in large numbers during the last two decades, attracted by the high scale of wages. With the Chinese the Dominion authorities have been able to deal through the imposition of a heavy tax; but with the Japanese the problem has assumed a more serious form, for the relations between Japan and Great Britain have prevented drastic action being taken against Japanese immigrants to British Columbia. With these exceptions

energetic and thrifty population the Dominion has entered the twentieth century confident of her power to win a place among the nations somewhat commensurate with her area and resources. One serious ethnic drawback will, however, continue to be the presence within her borders of a large French-Canadian element, tenacious of its nationality and incapable of assimilation by the predominant Anglo-Saxon branch of her population. The French-Canadian has failed to show the initiative and enterprise of his English-speaking neighbor. If proof be needed, it may be found in the economic condition of the Province of Quebec at the present day. However unfortunate the fact may be, it is none the less true that the French-Canadian race has failed to display economic potentialities at all commensurate with its social and political vigor.

In discussing the ethnic history of any country, something at least must be said concerning the aborigines. How much, however, will depend considerably upon the extent to which these have survived and incorporated either themselves or their institutions into the later ethnic structure. From this standpoint the aborigines of Canada may be passed over lightly, for the North American Indian has influenced the racial composition of the Dominion only in the slightest degree, while his race has given her not a single institution of importance. However much the Indian may have influenced by his pressure the history of the old régime, he has left no trace whatever on the organization of the new. His only legacy has been to geographical nomenclature.

First in point of numerical strength of the Indian population of Canada at the time of the first explorations were the Algonquins, who held practically all the St. Lawrence basin from the Gulf to the Lakes, as well as the whole territory of Acadia. Different branches of the Algonquin stem were known in divers parts of the country by different names, but all spoke the Algonquin dialect or a corruption of it. Some of the Algonquin tribes had made a slight advance in civilization and were beginning to enter the

sedentary stage, as was shown by their spasmodic attempts at cultivation; but the majority were in the lowest depths of barbarism, subsisting precariously by the chase and fisheries. In vigor and talent for progress they were far behind their numerically weaker neighbors, the Iroquois. These latter, a separate people, speaking a language distinctively their own, occupied originally the territory now comprised within the State of New York, but their claims were gradually extended over the strip of country fringing the north shore of the St. Lawrence and Lakes Ontario and Erie.

A branch of the Iroquois, the Hurons, occupied the eastern shore of the lake which bears their name, as well as the shores of Georgian Bay. As they were closely connected and on friendly terms with the Algonquins, they seem to have settled in bands down in the valley of the Ottawa and even along the lower St. Lawrence. In fact there is reason for believing that the savages whom Cartier met at the Bay of Chaleur in 1534 were Hurons. But their main seat of population was always in the Lake regions. In point of political organization and economic progress they seem to have been quite the inferiors of the Iroquois,

The history of Canada may be conveniently grouped into two main divisions. The first of these is the period of the French Dominion, or, as it is more popularly called, the "Old Régime," extending from the earliest discoveries down to the capitulation of Montreal in 1760, following the capture of Quebec in the preceding year. This long period naturally divides itself into two eras, taking 1663 as the middle point. The first of these subdivisions has as its characteristic feature the attempt to govern and develop the colony through the medium of a commercial company, an attempt which proved a very complete and inglorious failure. The second era is marked decisively by the gigantic duel between France and Britain for the possession of Canada. All the events of French history in America during the century from 1663 on, centre around this great conflict. To New France this struggle meant very much more than to New England; to the former it was a struggle for existence, to the latter it was little more than a contest for the mastery of new territories, a struggle for expansion. For while New England might reasonably hope to effect the conquest of New France, the latter could never hope to acquire permanently even a small part of the British territories to the south. After all, the contest was, as will be seen, not a military one alone; it was a struggle between two distinct types of civilization. The end was not so much the victory of Briton over Frenchman as the triumph of Teutonic over Latin methods of colonization and government. The second great division, extending from the Conquest down to the present time, is the period of British suzerainty. It likewise may be subdivided into two eras, very unequal in point of duration. The first of these, covering more than a century from 1760 to 1867, has as its distinguishing characteristic the long struggle for political self-government; it was during this period that the colony passed through its various stages of military, crown, and semi-autonomous administration, winning its place as a self-administered Dominion step by step. And finally the short

period since 1867 has been one of political and economic development under confederation. With this development has come consolidation, westward expansion, and the growth of a national sentiment. Although in loyal and sympathetic tutelage of the motherland, her wide and growing interests begin to give the Dominion a right to consideration among the nations of the world. The aim of the succeeding chapters will be to work out in some detail the historical evolution of these periods.

CHAPTER II

DISCOVERY AND EXPLORATION

THE closing quarter of the fifteenth century in Europe has usually been regarded by historians as marking the end of the Middle Ages and the opening of the Modern Period. And this for many reasons. For one thing the era of feudal decentralization in the countries of Western Europe had now run its course and the era of political consolidation had begun. States now began to attain their national self-consciousness, and to pursue what may be looked upon as a national rather than a dynastic policy. With consolidation came the desire for expansion, for every people sooner or later in their history reach the "expansive stage." And in most of them this is reached shortly after internal consolidation has been accomplished.

As early as 1497, England had partially awakened to the desirability of taking a share in the exploration activities of Europe. Henry VII. was miserly and greatly begrimed the money necessary to the despatch of an expedition to the New World, but he disliked even more the thought of allowing Spain a clear field. Moreover, in 1493, Pope Alexander Sixtus had undertaken by the issue of his famous Bull, to apportion all new lands between Spain and Portugal, and this decree England, though still Romanist in religion, was not willing to recognize. But Englishmen were not prominent in navigation at this date. The great

seafarers of the fifteenth century were Italians, for the cities of the Italian peninsula were the great trading *entrepôts* of the age. Thence had come Columbus to Spain, and thence had come to England, about 1490, one John Cabot. On his arrival he settled in Bristol, then a flourishing seaport, and during his first years of residence there Cabot undertook some short voyages to European points. It was in 1496 that he approached Henry VII. with a petition for assistance in the project of a voyage to the west. The king granted him permission and supplied him with five vessels, promising him a monopoly of all trade with his expected new lands. Cabot left Bristol about the middle of May, and after a remarkably quick trip sighted land on the 24th day of June. The question of the Cabot landfall has given writers opportunity for differences of opinion, as the navigator left no journal of his first voyage, and dependence has to be placed on maps alone. The Cabot *Mappemonde*, supposed to have been drawn by his son Sebastian nearly half a century later, seems to indicate a point on Cape Breton Island, but a later map in Hakluyt

This would make Virginia the southern limit of their explorations, but the fact may well be doubted more particularly since there is a suspicious lack of harmony between Sebastian's geography and his dates. After the return of the two to England nothing more is heard of John Cabot, but Sebastian appears to have made at least two more trips to America. Our evidence regarding all the voyages of the Cabots is, however, extremely unsatisfactory. Very little is to be found in the Bristol Archives, and most of what we know concerning the details of their explorations has come down to us from Sebastian Cabot through Spanish and Italian contemporaries. Investigators, although convinced that the voyages were made, are not prepared to accept all the details as given. Through the efforts of Cabot and his son Sebastian, England established her claims on the northern part of the continent, but the land seemed to offer little promise and no settlement followed.

France in the meantime had been concerning herself more with the pressing exigencies of her own domestic affairs than with explorations of any kind, but about the end of the first quarter of the sixteenth century, she began to awaken to her opportunities. King Francis I., of France, was the bitter enemy of Charles V., of Spain, and for this reason, if for none other, desired to share in the territorial spoil which seemed to be falling into the hands of his southern neighbor. "I would fain see," said he, "the article in Adam's will which bequeathed the earth to Spain and Portugal." Therefore, in 1524, he is said to have dispatched Giovanni da Verrazano, a Florentine navigator, on a mission of discovery to the western seas. Our evidence in regard to the scope of Verrazano's explorations rests upon a letter which the navigator is reputed to have addressed to the king after his return and on a map said to have been prepared under his direction about the same time. According to these documents, Verrazano explored the whole Atlantic coast of America from the Carolinas to Nova Scotia, giving to the territory the name New France.

Down to about 1875 this evidence passed unquestioned, but about this time investigators began to express their suspicions that the letter was a forgery, and that the map was constructed from the accounts of other explorers. At any rate, there are no contemporary references in French history to any such voyage; little or nothing is known of Verrazano or his antecedents. In the instructions given by the French government to Cartier and other later explorers there is no mention whatever of any previous explorations under royal auspices, and the whole episode has a peculiar isolation. Furthermore, the description of the country as given in the letter is very faulty; for mention is made of various features of native life which no other early visitor to America ever noticed, while the most striking characteristics, such as the use of canoes, wampum, tobacco, and so on, are allowed to pass unnoticed. Additional ground for suspicion is found in the fact that the letter and map do not harmonize in their descriptions of the coast line. However, old historical beliefs are undermined slowly, and as yet the more prominent historians are ~~disposed to give the navigator the benefit of the doubt and~~

interlope on their fishing grounds, a formal declaration of French sovereignty over the Gulf regions was thought desirable. Cartier shipped his crew in St. Malo during the spring of 1534 and with two small vessels made his way to near what is now Cape Bonavista, Newfoundland. Moving around the north of the island and passing through the Straits of Belle Isle, he turned his course southwestward till he reached Prince Edward Island. Skirting northward again, he entered and named the Baie des Chaleurs; then emerging, headed northward to Anticosti and out by Belle Isle homeward, having made a complete circuit of the Gulf. On Gaspé he had landed to take formal possession of the new country in the name of his sovereign.

The St. Malo navigator was full of enthusiasm for a second voyage, in order that he might explore the great waterway which seemed to lead into the Gulf, and succeeded in procuring a second commission. Early in 1535 he set forth again, this time with three vessels and a crew of over one hundred persons. Some of these were drawn from the jails of France, for a voyage of discovery seemed to have few attractions for the average French seaman. Passing again through the straits north of Newfoundland, he proceeded westward and found himself in the channel of a great river. As he ascended it, the channel began to narrow, much to his chagrin, for he had hoped to find in this waterway a passage through to the Indies. But the vessels stemmed the current and in due course the explorers found themselves at the Indian settlement of Stadacona, which then occupied the present site of Quebec. Here Cartier decided to spend the winter, and with this end in view he drew his ships up into the St. Charles. Using as interpreters two savages whom he had captured at Gaspé in the previous year, the French began communications with the Indians at Stadacona and through them learned of settlements further up the stream. The French leader decided to utilize the remaining days of autumn in visiting these, but the Stadacona Indians vigorously objected, endeavoring

to point out all manner of dangers and difficulties, but without avail; for, with his smallest vessel and about half his men, Cartier made his way up the river during the last fortnight in September. Near the point where the greatest of the St. Lawrence rapids bars the western waterway, Cartier found the little Indian village of Hochelaga nestling at the foot of a mountain and surrounded by a circular palisade. The natives received him cordially, and after a liberal distribution of trinkets the French learned from them divers vague snatches of information about great lakes and rivers to the far west, as well as the existence of settlements of white men away to the south.* But as winter was soon to close in, Cartier hurried back to Stadacona, where he found that his men had, during his absence, completed a small fort and made preparations for the winter.

This first recorded hibernation of Europeans in Canadian territory was an exceedingly trying one. The cold was unusually severe; scurvy broke out among the company, and many of their number died; supplies ran out, and only the generosity of the savages prevented absolute starvation. When spring appeared, the remnant of the company gladly

the possession of the newly explored country which the recital undertook to describe. Cartier was a good navigator as seafarers went in his day, but he was no scholar, and his descriptions are not interest compelling. He was, however, a good judge of distances at sea, and his statements of latitudes and distances are reasonably accurate. Unfortunately, the longitudes are stated in two instances only. Interesting accounts are given of Indian customs, dress, and food. The habit of smoking is mentioned, although it is not at all certain that tobacco and not some native weed was used. Mention is made of Indian grains and roots, among the latter melons and cucumbers. As these latter are not indigenous, the question lies between Cartier's accuracy and the possibility of seed of these vegetables having been imported from the south. The two villages of Stadacona were roughly fortified, and this fact has raised the question as to what tribe occupied the St. Lawrence regions at this time, for the Algonquins very rarely, if ever, fortified their villages. On the other hand, the description given by Cartier corresponds very closely to those given of the Huron villages by the Jesuit missionaries later on. If one turns to the scant vocabulary of native words which Cartier picked up during his stay, it will be found that most of these are from Huron and not from Algonquin roots. For example, Donnacona, Stadacona, Hochelaga, and even Canada, are Huron. The etymology of the word "Canada" has been a matter of some discussion, but the better opinion inclines to the belief that it is the Huron "Kanata," *i. e.*, a collection of huts. The Hurons made little or no distinction between the "t" and "d" sound, so that the word has come down to us in what is practically its original form. The derivation sometimes given by writers, that the name is from the two Spanish words "Aca Nada," *i. e.*, nothing here, seems to be purely imaginary. But that the Indians whom Cartier met were Hurons is by no means conclusively proved, and at least one writer of authority maintains that the tribesmen were members of the Algonquin stem.

Not for five years did Cartier set forth to America. In 1540, a Picard seignior, Jean François de la Roque de Roberval, interested the king in a scheme of colonization and secured his own appointment as viceroy of the country. The services of Cartier were at once enlisted and the Breton sailor was given the resonant title of "Pilot and Captain-general of New France." An expedition was to have been sent to the St. Lawrence early in 1541, but when spring arrived Roberval was not ready. It was decided that Cartier with three ships should set out alone and await Roberval at a rendezvous in Newfoundland. But when Cartier reached the rendezvous he waited six weeks in vain for his tardy superior and finally decided to push up to Stadacona alone. Here he built a new post at Cap Rouge and prepared to spend the winter. A short visit was again made to Hochelaga, but without any important incidents, and on his return to Cap Rouge the winter was passed with more comfort than six years previously despite the fact that the savages now began to show hostility. With the opening of spring Cartier sailed again for France, unable to understand the non-appearance of Roberval. Early in June

possession of Cartier's post, sowed some grain and vegetables, and endeavored to make the place habitable. His company, however, had been recruited from the jails of France and proved an unruly lot. But the viceroy brought both the gibbet and the lash into service, and his severity procured order. The winter was a terrible one. Scurvy, shortage of provisions, and exposure lessened the numbers of the little band, for there were no longer savage friends to afford willing succor. When summer came the survivors gladly made their way back to France. Lescarbot speaks of Cartier as having undertaken a fourth voyage in the summer of 1543 to rescue Roberval, but there is no extant evidence to support his statement. Of Cartier's later life little is known save that the king granted him a small manor near his native town where he lived in comfort till his death in 1557. With the exception of the *Bref Récit*, none of his papers or maps has come down to us. That he prepared some of the latter is probable, for he was an official explorer and was required to report his voyages to the king. Furthermore, there is evidence that several maps prepared in the seventeenth century were partly copied from charts prepared by him. A fearless and sturdy sea dog, Jacques Cartier was a good type of the sixteenth century Breton navigator. His portrait in the town hall of St. Malo shows us a man of firm features, of strong yet cultured countenance. Unfortunately the portrait, though reverenced by the denizens of the old Breton seaport, is undoubtedly, as Parkman has declared, of recent origin and of very questionable likeness.

Francis I. died in 1547, and with his death came the beginning of the civil and religious dissensions which sapped all the energies of France for half a century. In this interval the new dominions beyond the seas were all but forgotten. Norman and Breton fishermen came to the Newfoundland banks in increasing numbers, but it is doubtful if any European passed the point of Gaspé in those fifty years. A Huguenot colony established itself in Florida

during 1562-1565, but the Spaniards further south regarded its existence as a menace and wiped it out of existence. But peace returned to France with the end of the century, and on January 12, 1598, the Sieur de la Roche, a nobleman of Brittany, was appointed lieutenant-general of the colony, with wide powers and privileges. (See *Commissions des Gouverneurs et Intendants du Canada*, p. 10.) The usually accurate Winsor errs in giving 1590 as the date of De la Roche's commission (*Cartier to Frontenac*, p. 76). In return De la Roche was to transport settlers and to superintend the development of the colony. The new official made haste to assume the duties of his post, but found that it was no easy matter to procure settlers. Resort was therefore had to the jails for convicts,—poor material indeed out of which to construct the nucleus of a great colony. Not much is known of De la Roche's voyage save what we may glean from Lescarbot, who is not always trustworthy, contemporary though he was. Apparently the expedition took a southerly route and made land first at Sable Island, a barren crescent of sand off the Nova Scotian coast. Here he landed part of his convict company.

in these parts. Early in the spring of 1600 (not 1599 as stated by Roberts in his *History of Canada*, p. 21), the vessels of the monopolist partners reached the mouth of the Saguenay, which had been a trading rendezvous for some years. Chauvin was desirous of making a settlement here, but Pontgravé favored a location further up the river. Chauvin carried his point and the settlers were landed. The summer was spent in trade and toward autumn the peltry-laden vessels sailed for France, leaving a small band of men to hold the new post. The profits of the voyage had been large and the merchants of St. Malo, Dieppe and Rochelle, who now found themselves excluded from the fur trade, raised a great clamor against the continuance of the monopoly. Petitions were sent to the king, but the latter refused to revoke the partners' privileges, confident that they would fulfil their obligations to colonize. As a matter of fact the partners had no interest except that of securing a profit from the trade, and during the years 1601-1602, instead of transporting more settlers they brought back those whom they had first taken out. The clamor of the St. Malo merchants drew the royal attention to this fact and the monopoly was forthwith revoked.

A royal commission was appointed to devise some means of reconciling the divers interests, and this commission recommended that the monopolists be required to allow one vessel each from the seaports of St. Malo and Rouen to engage in the trade on condition that the merchants of these two towns should bear their share of the cost of colonization. This recommendation was accepted by the king, but early in 1603 Chauvin died. The monopoly was, therefore, granted to the Sieur de Chastes, then Governor of Dieppe, with the same obligation regarding settlers which had previously been imposed on Chauvin and his colleague, Pontgravé. Before attempting to send out his first batch of colonists, De Chastes decided to despatch an expedition to select a suitable site for their settlement, and this task he intrusted jointly to Pontgravé and Samuel de Champlain.

The latter was a captain in the navy, born at Brouage in 1567, and a personal friend of his own. He had rendered very signal service in recent operations on the Spanish main, and enjoyed the favor of the king as a result. Clear in his plans and vigorous in their execution, Champlain was an agent capable of performing the task in hand and his selection proved an exceedingly happy one. The three vessels sailed in 1603, those from St. Malo and Rouen to trade, that commanded by Pontgravé and Champlain to make further explorations; no colonists were carried. The traders remained at the Saguenay, while the explorers made their way up the river to ancient Hochelaga, which they now found in ruins; savage warfare had turned the little settlement into a solitude. The explorers were not greatly impressed with the country, and, rejoining their comrades at the Saguenay, returned to France, where, on arrival, they found that De Chastes had died in their absence.

The death of De Chastes gave matters a new turn, for the monopoly now lapsed. Champlain, however, was enthusi-

After some delay a number of merchants agreed to the terms of membership and a company was formed, De Monts himself retaining a controlling interest, the remaining shares being held by merchants of St. Malo, Rouen, and Rochelle. Five vessels in all, set out in 1604 for the colony, under the patronage of the new company; three went to the St. Lawrence to trade, and the remaining two southward to the Bay of Fundy. With these vessels were De Monts himself, Champlain, and Baron Biencourt de Poutrincourt, a young adventurer. The vessels rounded the Nova Scotian peninsula into the bay and entered what later became the haven of Port Royal, now Annapolis. Not satisfied with this place as a site the party coasted along around the northern shore of the Bay of Fundy till they reached the island at the mouth of a river which he called La Rivière des Etechemins. This island he named Ste. Croix and after some hesitation decided to make this the site of their settlement. (Ste. Croix was not at the mouth of the St. John as Mr. Biggar indicates in his *Early Trading Companies in New France*.) Work on buildings was at once commenced and soon the little colony was under roof. Poutrincourt was despatched with one vessel back to France while De Monts, Champlain, and the rest prepared to spend the winter at Ste. Croix. The choice of a site was singularly unfortunate; disease broke out among the company and the miserable experiences of Cartier and his followers at Stadacona, and of Roberval at Cap Rouge were repeated. And when Poutrincourt appeared in the spring it was with considerable relief that Ste. Croix was abandoned and the colony moved across the bay to Port Royal. Here the buildings were reerected and in the autumn De Monts sailed with Poutrincourt for France leaving the colony in Champlain's charge. This winter was passed with some comfort for the weather was less severe and the situation of the colony was now less exposed. In the summer of 1606 Poutrincourt once more appeared and with him a new spirit, Marc Lescarbot. The latter was a Parisian lawyer in search of adventure, a man

of wit and wisdom, one of the pleasantest figures in the early history of New France. He was to become not alone the soul of the little colony but the most readable chronicler of its varying fortunes. The summer was spent in explorations up and down the coast and in cultivating the cleared lands about the settlement. Supplies were now abundant, the ensuing winter was passed very pleasantly and it seemed as if the colony had come to stay. Champlain's "L'Ordre de Bon Temps," the main rule of which was mirth and good fellowship, saw to it that there was no dearth of jollity. But in the spring of 1607 tidings arrived that the king had deprived De Monts of his charter owing to the continued clamors of excluded traders. As the colony could no longer hope for support from De Monts's company there was no alternative but to abandon the site and return to France, which the whole party reluctantly proceeded to do. On arrival in France the affairs of De Monts's company were wound up and a balance on the wrong side was shown. De Monts himself had lost heavily and debated for some time as to whether he should not give up his fur



Louis de Buade, Comte de Frontenac.
*From the Sir Gilbert Parker Collection,
in the library of Queen's University.*



Samuel de Champlain.
After the painting by Moncornet.



Giles Hocquart.
*From the original painting in the
Château de Ramezay, Montreal.*



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to the Iroquois country. Passing up Richelieu River and traversing the lake which now bears his name, Champlain with his friends came upon a war party of Iroquois near Ticonderoga, and a forest fight ensued. The volleys of the French muskets terrorized the opposing savages, and they fled in disorder. The Frenchmen had taken a move which was most important in its effects, for it committed New France to the cause of the Hurons and Algonquins. Henceforth the Iroquois were the Frenchman's bitterest foes. There is nothing in Champlain's career which has exposed him to so much criticism as this action at Ticonderoga. But it must be admitted in his defence that he was in no position to know that Iroquois hatred was so much more to be feared than was Huron friendship to be desired. Had the latter ultimately triumphed in their long wars with the Five Nations, this first military stroke of the French would have gone down in history as Champlain's masterpiece. The issue, however, turned out otherwise, and the French of the seventeenth century paid dearly for having acquired the enmity of the ablest and most redoubtable warriors of savage America.

Explorations, the care of his little settlement, trading operations, and two visits to France well occupied Champlain during the next few years. In the course of one of his visits to the Hochelaga region, he had allowed a young Frenchman, Vignau by name, to accompany some Algonquin Indians to their homes some distance up Ottawa River. This youth returned from his stay, in 1612, bearing tidings that during his visit among the Indians he had followed Ottawa River to its source near a great northern sea, where he had witnessed the wreck of an English vessel. This striking news inflamed Champlain's desire to find out whether this sea did not afford the long-looked-for passage to the Indies. So in the spring of 1613 Champlain, accompanied by Vignau, set off up the Ottawa. The former noted carefully in his diary the physical features of the country as he passed along, and fixed his magnetic bearings

with some accuracy during the first part of his trip. After the portage at Muskrat Lake, however, his entries of latitudes became inaccurate owing to the loss of his astrolabe. Some thirty years ago a farmer of this region turned up with a plow a small brass astrolabe bearing the date 1603 and of Parisian manufacture. Without doubt this was the lost instrument. On reaching Allumette Island, near the present town of Pembroke, the party came upon the Algonquins with whom Vignau had spent his winter, and here it was at once made plain that the young Frenchman was an impostor and had never visited the regions which he had described. Bitterly disappointed, the explorer returned to Quebec, where in his magnanimity he allowed the lying Vignau to go unpunished.

In France, the interest in the colony continued and Champlain found little difficulty in procuring the financial and political support necessary to the proper carrying on of his enterprises. When De Monts lost his interest in the colony, the good offices of the Comte de Soissons were secured, and on the latter's death, the Prince de Condé gave his influential support to the colonial schemes. The little

Indians to his party, the explorer struck down southeast and finally reached the headwaters of the Trent, a tributary of Lake Ontario. Arriving at this lake, Champlain and his followers crossed it in canoes with the object of attacking some Iroquois settlements which were known to exist near at hand. Some little distance inland, at a point not altogether agreed upon by historians, the Frenchmen and their dusky allies found a fortified town of the Onondagas which they proceeded to assault. But the defenders fought bravely, and the assailants were forced to withdraw, Champlain having been wounded in the knee by an Iroquois arrow. The party returned to the lake whence Champlain was desirous of returning down the St. Lawrence to Quebec. But the Hurons refused either to accompany him or to let the Frenchmen proceed alone, and the whole expedition returned, as it came, to winter near the shores of Georgian Bay, whence Champlain accompanied a trading party of the Hurons down the Ottawa to the St. Lawrence in the spring of 1616.

On arrival at Quebec, where he was welcomed as one risen from the dead, Champlain found that affairs in France had taken a new turn. The Prince of Condé had fallen into disgrace, and it seemed necessary that some new supporter of colonial enterprises should be found. Returning to France, he finally succeeded in inducing the Duc de Montmorenci to secure the viceroyalty of New France, and was able to return to Quebec in 1620. On his return Champlain found that in his absence matters had been going badly. The settlers at Quebec were for the most part rough and boisterous traders, with little care for anything but their own profits. Consequently there had been scant progress in the cultivation of land, and not even the beginnings of industry were to be seen. Montmorenci was persuaded that the merchants of the French seaports who traded with the colony were to blame for this, and decided to confine the right of trading to two Huguenots, Guillaume de Caen and his nephew Émeric, who promised to

do great things for the infant settlement. But against this decision the merchants protested vigorously and, failing to swerve the viceroy from his purpose, resolved to keep on trading in defiance of the new order. Champlain found it a hard task to prevent the rivals from coming to blows in the St. Lawrence country, and for a time was sorely tempted to throw up his plans in disgust, leaving the rival traders to fight it out among themselves and with the Indians. But the rivals fortunately soon made up their differences and agreed to unite their interests in a single company. For a time matters went on pleasantly enough save for threatened attacks on the settlement at Quebec by the hostile Iroquois. Settlers continued to arrive in small numbers, and more priests were brought out to minister to the growing spiritual needs of the colony. Among those who came in 1623 was the Récollet Gabriel Sagard, who became the facile chronicler of colonial happenings, and the first historian of Canada.

Champlain spent the four years from 1620 to 1624 at Quebec, working earnestly for the upbuilding of the little settlement, providing for the settlers as they came, and shi-

intimately connected themselves with the making of its history. The outposts of the Church were at once extended in all directions, among the Montagnais to the north, among the Abenakis to the east, among the Iroquois to the south, and among the Hurons and Algonquins to the West. Unflinching in their zeal, the stalwart soldiers of the Cross advanced the cause of the Master in the vast wildernesses of the continent with rare heroism, rivalling even the secular trader in perseverance and endurance. "Not a cape was turned, not a lake was crossed," says Bancroft, "but a Jesuit led the way." In the making of French dominion in the New World they were to play no unimportant part.

In due course, Champlain returned to Quebec only to find that Caen had created abundance of strife there by attempting to force his Huguenot doctrines upon the people. The settlement now numbered somewhat over one hundred men, women, and children, and could look back over a history extending nearly a score of years. But its growth had been far from satisfactory, and there is no denying that its slow progress had been mainly due to the restrictions placed on trade by the Caen Company. Moreover, Richelieu, ardent champion of the Roman Church, had now made himself supreme in the civil affairs of France, and it did not seem likely that he would long suffer the advantages of the colony to be enjoyed by a Huguenot and his friends. And, in fact, Ventadour seems to have already thought seriously of ridding the colony of its heretical traders. At any rate, we find that in the spring of 1627 it was decided by the authorities that Caens' privileges should be withdrawn and handed over to a new and more ambitious company which had been projected. This was accordingly done, and on April 29th an edict was issued handing over the colony to the newly-organized Company of One Hundred Associates, or, as it was officially called, the "Company of New France." To this new company was granted all the territory of New France and Acadia, with the settlement at Quebec and the trading post at the Saguenay. The grantees were to have

practically all the attributes of sovereignty, the right to improve and administer the lands, to bestow titles of nobility, to establish courts, levy taxes, and provide officials of government. The Company was given a perpetual monopoly of the fur trade and a monopoly of all other trade for a period of fifteen years. In return it was agreed that the grantees should undertake to convey to the colony within one year from two to three hundred settlers and thereafter a like number year by year. The number as given by Charlevoix in *Histoire de la Nouvelle-France* is erroneously stated as sixteen thousand. The Company was under obligation to support the settlers until such time as they should become self-sustaining and to give them allotments of land. No Huguenot or other heretic was to be numbered among the colonists, every settler had to be both a Frenchman and a Catholic, and for every settlement priests were to be provided and maintained at the Company's expense. After fifteen years, it was provided, provision for the support of these might be made by setting apart sufficient areas of cleared lands. Thus were the destinies of New France committed to the charge of a great commercial

CHAPTER III

THE ERA OF GOVERNMENT BY COMMERCIAL COMPANIES, 1627-1663

THE Company of New France entered into its task with promptness and confidence. Early in 1628, a fleet of eighteen heavily laden vessels was sent to the St. Lawrence under De Roquemont to begin operations. But in the meantime the relations of France and England had taken a new turn. Richelieu's persecution of the Huguenots of France had aroused resentment in Protestant England, and the Duke of Buckingham, then chief minister of Charles I., had taken advantage of this to satisfy an old grudge, by involving England in a war with France. As England had no navy of importance, resort was had to the issue of letters of marque, which were eagerly sought by many of the so-called "Merchants Adventurers" of London and the other English seaport towns. Among these was Gervase Kirke, a merchant of the metropolis, who had lived some years in Dieppe and was consequently conversant with the St. Lawrence trade. To Kirke the opportunity of securing this region for English traders seemed an excellent one. In conjunction with some London merchants, Kirke fitted out a small fleet. This was placed under the command of David Kirke, his son. The expedition set out for the St. Lawrence and arrived at Tadoussac. Anchoring here, Kirke sent one vessel of his fleet to Quebec to demand its surrender, but Champlain returned a spirited refusal. When

Kirke learned that the capture of Quebec would entail some loss, he decided to await the supply vessels under Roquemont, which were momentarily expected. Before long these appeared and a brisk fight ensued, in the course of which the French ships were captured and put in charge of prize crews. After gathering in a number of French fishing ships in the Gulf of St. Lawrence, the English vessels made their way home laden with booty.

Quebec had not been assaulted, but the capture of the French convoy had reduced supplies there to a famine point, and the winter of 1628-1629 was a weary and disheartening one for Champlain and his little garrison. Kirke's success had alarmed Sir William Alexander, a Scottish baronet, who, some little time previously, had received from the king a grant of Acadia, and a protest was made against further operations against Quebec. But an arrangement was made between Kirke and Alexander, by which the twain united their interests into a company. The king readily granted it a monopoly of the fur trade of the St. Lawrence, with the right to seize any French vessels or settlements found in the region, and in the spring of 1629 the company sent out

restoration of the colony to France. But the negotiations dragged on tediously, and in the meantime the Kirke-Alexander Company made the most of the St. Lawrence fur trade. It was 1632 before the Peace of Saint-Germain-en-Laye was finally concluded, but by its provisions both Canada and Acadia were handed back to France. At once Émeric de Caen was sent out from France to receive the fort and settlement from Kirke; and as it was claimed that the English had looted his fur warehouse during the period of their occupation, the French king granted him a monopoly of the trade for a year, in order to recoup himself. When this year had expired, the Company of New France once more took charge of the colony, and Champlain was sent out with new supplies and settlers. During the next two years, 1633-1635, great progress was made. The land was cleared in the vicinity of the settlement, a better understanding was arrived at with the Indians, and the buildings at Quebec were enlarged and improved. It was thus on the threshold of the ultimate realization of his preliminary plans that Champlain, the founder of French empire in North America, breathed his last on Christmas Day, 1635.

Possessed of extraordinary perseverance and energy as well as imbued with great enthusiasm for whatever he undertook, the seaman of Saintonge was admirably fitted to be the founder of a new colony. Not often does one meet in history a man of such tenacity of purpose in the face of difficulties and such earnestness in endeavoring to carry out his plans. In his writings he never sought either to magnify his difficulties or to exalt his own powers of overcoming them; on the contrary, these bear all the earmarks of a straightforward, truthful recital. As a writer his style was plain, and there seems to be every reason for trusting his accuracy. The descriptions contained in his *Voyages* show him to have been a skilful pathfinder both on land and at sea as well as a most intelligent observer of natural phenomena. Mr. Kingsford has discussed with some spirit the question as to whether Champlain was or was not a

Huguenot. In the baptismal records at Brouage there is no record of Samuel de Champlain, and this is a rather curious fact since the names of all Roman Catholic infants seem to have been recorded with extreme care and precision. To be sure, we may find record that both his father and mother were baptized in the ancient church, but this proves little regarding Champlain himself. Otherwise it would be easy to prove the orthodoxy of Luther. The name "Samuel" was at this date rarely bestowed on other than Huguenot children, and, as is well known, Rochelle and its environs, including Brouage, were hotbeds of French Protestantism at this time. The close association of the explorer with De Monts and the De Caens, all of whom were Huguenots, would seem to show that at least he was not an intolerant Romanist. On the other hand, it must be borne in mind that Champlain appears to have sought the ministrations of the Jesuit Lalemant in his last hours, that the Jesuit Le Jeune conducted his funeral services, and that by will he left his meagre fortune to the Jesuit Seminary at Quebec, which had been founded just before his death. Whatever the creed of his nativity, the founder of Quebec was un-

to exercise some influence in the selection of colonial officials and that Montmagny's appointment was due partly to the support of his Jesuit friends in France. At any rate, he was all that the Church could have desired, as was seen from his conspicuous demonstration of piety immediately on his arrival at Quebec.

Quebec, the unpretentious colonial capital, now provided residence for something above two hundred persons. This number seems a fair average, although it varied from time to time as traders came and went. With Montmagny in charge the life of the little settlement became almost monastic in its severity and the Jesuits found reason to hope that in Canada might be found a northern Paraguay. The Récollets had been recalled and the Jesuits in the colony were now spiritually supreme. The members of the order stirred up the zeal of the devout at home and aided those collecting funds for the propagation of the faith in the New World by means of their annual *Relations*. These were accounts of the activities of the missionaries at the outposts of the Church and were published in France. They began as early as 1616 and appeared at irregular intervals down to 1626, when the publication ceased until 1632. In this latter year Sébastien Cramoisy began, in Paris, the long series of annual *Relations*, which thrilled the hearts of religious Frenchmen with their tales of Jesuit energy and heroism in the wilds of North America. With unfailing regularity from 1632 to 1672 the little duodecimo volumes appeared; and their influence in securing recruits for the missions, funds for the carrying on of the work, and official approval of the Jesuit plans, was very great. Well might the *Relations* create enthusiasm. The "black robes" scattered themselves all over the country, braving the greatest perils and enduring the most trying hardships in their unstinted endeavors to carry the faith into every savage settlement. Briard, Lalemant, Brébeuf, Jogues, Chaumonot, Le Moyne, Dablon, Marquette, Garnier, Mercier: these are but a few names in the long list of warriors of the

crucifix who gave their best years to the cause of civilization in the New World. Not even the most uncompromising enemies of Romanism will deny to them a high place among the makers of early Canadian history.

It was amid this glow of religious fervor that Montreal came into being. The modern metropolis of Canada was the offspring of a somewhat grotesque devotional enthusiasm, as one may glean from the pages of the rather visionary Faillon. Here we are told of the ecstatic zeal which impelled two devout Frenchmen to obtain the grant of the island at the junction of St. Lawrence and Ottawa Rivers. This was to be made the centre of religious philanthropy, for the plans involved the establishment of a seminary, a college, and a hospital. The Society of Notre Dame de Montreal was organized, and a beginning was made by selecting as the organizer of the new settlement Paul de Chomedey, Sieur de Maisonneuve, a gallant soldier from his boyhood and a fast friend of the Church. It was found that funds did not permit the establishment, for the time being, of the proposed seminary and college, so it was resolved to let these remain in abeyance. But the hospital was urgently needed, and to superintend its establishment the promoters chose Mlle. Jeanne Mance, an ardent young religionist of high character and motives. Some wealthy persons in France supplied the necessary funds, and in 1641 Maisonneuve, Mlle. Mance, and a few score settlers sailed for their new home. When they reached Quebec the season was far advanced and Governor Montmagny induced them to spend the winter there, hoping that before spring he would be able to induce the enthusiasts to abandon their original plans and, instead, to settle on the island of Orleans fronting Quebec. For he was a firm believer in consolidating the settlements in order to minimize the danger from the Iroquois. But Maisonneuve declared that he would fulfil his mission even though every tree on the island of Montreal were a hostile savage, and when the spring of 1642 arrived he began his trip up the river.

Fortune favored the enterprise, and while the buildings were being erected and the palisades constructed, the Iroquois refrained from any attack, not having learned of the move until it was too late. But their ignorance did not continue long. A fleeing Algonquin was given shelter within the palisades, and the location of the settlement was revealed to the Iroquois, who from this time on gave Maisonneuve and his followers constant annoyance. For years no one dared venture outside the palisades without an armed escort.

About this time Montmagny gave up his post and returned to France. With the very limited means at his disposal,—for the Company of New France doled out funds very sparingly,—he had served the colony well, leaving it much stronger than he had found it. For twelve years he had kept matters running smoothly by the exercise of prudence and vigor. It was decided that hereafter governors should hold office for a term of three years, and in 1648, for the next ensuing term, M. d'Ailleboust was selected. D'Ailleboust was already in the colony, having come out to Montreal some years before, and was consequently no stranger to colonial conditions. With the accession of the new governor a council was created with a membership consisting of the governor, the bishop or superior of the Jesuits, and the Governor of Montreal, and this body was to have general cognizance of colonial affairs. Hitherto the governor alone had been responsible. This council came to be known as the Ancient Council, a name which serves to distinguish it from the Sovereign (Superior) Council which was created in 1663 when the control of the colony was taken from the company and assumed by the king. At the same time, all the inhabitants of the colony were given liberty to trade with the Indians, but all furs purchased had to be brought to the storehouse of the company. From this time on, therefore, the officials of the company did not assume the initial operations of the trade; they merely sold supplies to the trading inhabitants and bought such peltry as these were able to secure. Having a complete monopoly

in both directions, there was opportunity for large profits. Very unfortunately, many of the officials of the company in the colony were thoroughly dishonest and used their positions to their own personal gain. Furthermore, as there was more profit for the inhabitants in the fur traffic than in the cultivation of land, most of them took regularly to the woods, entirely neglecting their land grants.

The opening year of D'Ailleboust's governorship was marked by an important event in the annals of Indian warfare, the destruction of the Hurons. During the few years preceding 1648 the Iroquois, who had been devoting much of their attention to the French settlement at Montreal, had left the Hurons in peace. And this seems for the time being to have lulled the latter into a false sense of security. A party of Iroquois warriors proceeded during the summer of 1648 to the Huron country, where they destroyed the village of St. Joseph, murdering Père Daniel, the Jesuit priest who was stationed there, and taking a large number of Huron prisoners. In the following year a larger number of tribesmen returned to complete their bloody work. A dozen or more Huron settlements were attacked and laid waste with appalling slaughter. The Jesuits Lalemant and Brébeuf were taken and, after atrocious tortures, burned at the stake. The remnants of the Huron tribe were utterly demoralized and scattered in every direction. A few found refuge on Manitoulin Island in the Georgian Bay; some made their way to the remote west where they found shelter with the small tribes there; some offered to unite with their conquerors, who, in accordance with their fixed policy, gladly accepted this addition to their fighting strength, while a miserable remnant of a few hundred survivors were brought down to Quebec and settled near the town at Sillery. Their land became a separate waste and the missions there came to a disastrous end. In more ways than one this extermination of the Hurons was a severe blow to the French. It deprived them of their most faithful Indian allies; it taught the western tribes the impotency of French protection; it

gave the Iroquois an unwholesome conceit in their own power, and it cut off the most profitable source of the fur supply.

The three-year term of D'Ailleboust drew to a close just as the extent of the disaster began to be fully realized, and in the autumn of 1651, M. de Lauzon took his place. Lauzon had been prominently connected with the company in France, and it seems to have been intended by his appointment to bring the colony into closer relations with the leading shareholders in the Company of New France. The new governor found the colony in more desperate straits than he had anticipated. Everything was in disorder and the settlements seemed to be on the decline. The colony writhed under the scourge of the Iroquois who were now abundantly supplied with firearms by the Dutch at Albany and used them with skill. Bands of the confederates spread themselves about the French settlements waylaying all who happened to venture outside the palisades. Agriculture was at a standstill, and as the foes of the French held all the avenues of trade, no peltry could be had and it seemed as if the colony must very soon become a source of expense rather than of profit to the company. But in the course of a few years the Iroquois wearied of their rather bootless attacks on palisaded settlements and turned their attention to the tribes of the southwest, notably the Eries or Cat tribe. Lauzon saw that one war at a time was probably all that the Iroquois desired, and seized the occasion to send a peace mission to the Onondagas, who of all five tribes of the Confederacy had shown the least bitter hatred of the Frenchmen. For this mission he chose the Jesuit Simon Le Moyne, who set off on his dangerous journey about midsummer, 1654. Le Moyne ascended the St. Lawrence to Lake Ontario, then known as Lac des Iroquois, being the first white man to accomplish this feat, and, coasting along the south shore of the lake, reached a point where his guides landed and conducted him inland about twelve leagues to the village of the Onondagas. The Jesuit

peacemaker has given us in his diary a very readable account of his trip and of the events which followed his arrival at his destination. Apparently the Onondagas received the mission with cordiality, and a council was held at which deputies from the Senecas, Oneidas, and Cayugas attended. Only the surly Mohawks held aloof. The council terminated very satisfactorily, and Le Moyne left for Quebec to convey to Lauzon the desire of the tribesmen that peace be proclaimed and that some French missionaries and artisans should be sent among them.

Lauzon might have judged that these newborn professions of amity were at best made with scant sincerity, and ought to have hesitated before detaching from Quebec a number of his best settlers to send them to a perilous abode among the savages. But the governor was a man of poor judgment, always pliant and never equal to an emergency. So he at once agreed to the request of the Onondagas and selected a company of about fifty men of all trades to proceed amongst them. The party was to be commanded by a courageous young officer of the Montreal garrison named Dupuy, and with him went the two Jesuits,





Jacques Marquette.
From the painting in the Château de Ramezay, Montreal.

remnant of the Hurons should be handed over by the French to be incorporated in the Mohawk tribe. Lauzon was weak enough to agree to this, provided the Hurons themselves were willing, and a council was held to decide this point, Mohawk delegates being present to use their persuasive powers. The attitude of these delegates was unusually insolent, and showed unmistakably that the savages had little fear of French punitive power. Lauzon was too weak to resent this conduct. When the council deliberations ended, one section of the Hurons agreed to accompany the Mohawks to their homes. With them went Le Moyne to begin the Mohawk mission work. The governor was very roundly censured by colonial opinion for his action, and being a very sensitive man, took the criticism much to heart. So much so that without waiting for his recall, he sailed for France in the autumn of 1657, leaving the affairs of the colony in the temporary charge of D'Ailleboust, who was still in the country. The latter made the best of matters till the following summer when the Viscount d'Argenson, a gallant young soldier arrived to assume control.

Meanwhile matters had not been progressing satisfactorily with the French settlers among the Onondagas. For a short time after their arrival among their savage hosts the Frenchmen had been treated with rather suspicious cordiality, but as the months wore on this gave place to a sullen indifference and finally to an almost open hostility. Dupuy soon learned that when the proper time arrived, the Onondagas had it in mind to massacre their guests and to join with the other tribes of the Confederacy in a general attack upon all the settlements of French Canada. Prudence seemed to dictate that the French should escape at the earliest possible moment, but escape was not easy owing to the entire absence of canoes or other means of water transport. It was arranged, however, that a number of light bateaux should be constructed in the garret of a dwelling used by the Jesuits, as this stood somewhat apart from

the huts of the tribesmen and there, in consequence, the noise made by the carpenters was less likely to arouse suspicion. When all had been completed, early in the spring of 1658 a great feast was prepared by the Frenchmen, and to it the savages were all invited. The feast developed into a noisy revel, in which the Indians gorged themselves with food and drink till they were helplessly intoxicated or fell asleep. Then the bateaux were launched, and the Frenchmen rapidly made their way down the Oswego toward Lake Ontario. When the Indians aroused themselves and found the huts of the Frenchmen vacant, an attempt was made to follow the refugees; but the ice had not completely broken up, and the frail bark canoes of the Onondagas were so buffeted about that no progress could be made. After a very perilous journey of fifteen days, Dupuy conducted his command safely into Montreal. The success of the stratagem and the way in which he piloted his men down the St. Lawrence mark the young leader as a man of remarkable resource and ability.

The discomfiture of the Onondagas was complete and

confederates openly boasted that they would sweep the French from the colony, and it was only their entire ignorance of the most elementary siege operations which prevented them from making good their boast.

During 1659 the tribesmen prepared their plans, and in the following spring a force of warriors, over a thousand strong, made its way up the Richelieu. Here the force encamped to await the arrival of several hundred Mohawks, who had wintered up Ottawa River and who had been ordered to join the main force. Information of the plans of the Iroquois reached the French, and the situation seemed critical. D'Argenson had made the most earnest appeals to the home authorities for assistance, but none had come, and the destruction of the whole colony seemed but a matter of days. It was at this juncture that a gallant officer of the Montreal garrison, Daulac des Ormeaux, determined to frustrate the Iroquois plans by delaying the arrival of the Ottawa force. With some sixteen volunteers and a few score Huron and Algonquin Indians, Daulac, in 1660, moved out to the rapids of the Long Sault on Ottawa River, and took up a position in an abandoned Indian fort which the Iroquois were likely to pass in their progress down to join their fellow tribesmen on the Richelieu. In a few days seven hundred savages appeared and attempted to rush the post. Some of Daulac's Indians weakened and forsook him, but with the remainder he decided to make the place a Thermopylæ of the New World. What happened during the next few days we can only imagine. The accounts which have come down to us from various sources seem to be so palpably overdrawn that the historian who does not possess a faith in the miraculous must hesitate long before he decides to follow them literally. The dramatic death struggle of the "heroes of the Long Sault" has given Parkman a basis for what is perhaps the most vivid pen picture in the whole range of his splendid writings. Every Canadian schoolboy knows the thrilling tale, and among the idols of his youthful mind the figure of Daulac looms large.

The defenders were in all probability slaughtered at their hastily improvised post; we have no record that any of them returned to Montreal. Charlevoix, in fact, does not mention the episode at all, and what we know of it dribbled down from the recital of some of those Hurons who deserted Daulac before the attack commenced and who afterward escaped from the Iroquois. One thing, however, Daulac and his men certainly accomplished. The capture of the post and probably the torture of the few prisoners delayed the progress of the Iroquois, and this delay exasperated the restless savages who waited on the Richelieu, and the project of a general attack was abandoned. After some desultory skirmishes the Indians made their way homeward, and the colony was safe for the time being. The governor penned a despatch to the French minister crediting Daulac with having saved the colony, while a general Te Deum was sung in the chapels of Montreal and Quebec. The admirable specimen of heroic sculpture, prepared by the French artist Hébert, commemorates vividly the dramatic episode.

But the dangers without were not the only burdens which

of the Sulpitian vicar-general soon left the range of possibilities. The breach between Sulpitians and Jesuits speedily widened, and their unseemly quarrels soon scandalized the pious colonists. Matters became so embarrassing that the governor found it necessary before long to intervene in the interests of peace and order.

By the rules of the order, no Jesuit could become a bishop. But there was nothing to prevent their securing a man pledged to support the interests of their order and inducing the proper authorities to give such a one the appointment. And thus it came to pass. The Jesuits in France found a man after their own heart in François Xavier de Laval-Montmorenci, Abbé de Montigny, a young priest of thirty-seven years of age, who had been educated in a Jesuit seminary, and was an enthusiastic supporter of the order. The influence of Queen Anne, mother of Louis XIV., was secured through the medium of her Jesuit confessor, and Laval was duly nominated Bishop of New France. But the nomination had to be confirmed by the Pope, by virtue of an arrangement which had existed in France since the reign of Francis I. When the nomination came before the Pontiff it was decided by the ultramontane party, which then had the ear of Rome, that the appointment should be arranged in some such way that the new prelate should not be at all dependent on the royal favor, but should be responsible to the Pope alone. Consequently, instead of being confirmed Bishop of New France, Laval was made titular Bishop of Peträa in Arabia and Vicar Apostolic of the Church in New France. The Archbishop of Rouen regarded this as an infringement on his jurisdiction and protested to the sovereign, but neither the king nor his minister, Mazarin, were willing to quarrel with the papacy over the mere form of appointment so long as the appointee was satisfied, and they gave their consent to the arrangement on condition that the new bishop should take the oath of allegiance to the king, which, of course, he was quite willing to do.

Laval arrived at Quebec in 1659 and at once entered upon his duties. Queylus, the Sulpitian vicar-general at Montreal, was at first disposed to accept the new prelate as his superior, but influenced by the Archbishop of Rouen, he soon assumed a hostile attitude, and a bitter quarrel ensued between the vicars-general. In the end, Queylus was ordered home to France, and Laval, now supreme in the ecclesiastical affairs of the colony, proceeded to reorganize the priesthood on a missionary basis. Under this plan he retained the power of appointment and removal in his own hands, and guarded himself against the establishment of any prescriptive claims to parishes which colonial priests might venture to set up; a practice which might in New France serve, as it did in the Old World, to weaken the episcopal control.

Colonial dissensions were not merely inter-ecclesiastical. Laval had been but a short time in the colony when he found himself directly at variance with Governor D'Argenson on several points of etiquette. Following the ultramontane pretensions, the bishop claimed precedence on all public occasions over the governor, on the ground that the repre-

contemporary writer, Lachenaye, that Laval had asked for D'Argenson's recall, but we have no other evidence of this. The pious governor was doubtless distressed by his constant friction with the head of the Church in the colony and very probably would have refused a second term even had such been offered him. Some time previously he had written home practically to this effect. "I see no reason," he declared, "for remaining here any longer. When I came to this country, I hoped to enjoy a little repose, but I am doubly deprived of it,—on the one hand by enemies without and incessant petty bickerings within; and, on the other, by the difficulty I find in living. I have only two thousand crowns a year for all my expenses, and I have found it necessary to incur debts to an equal amount." Later on, he wrote to the president of the Company asking him to choose someone else for the post. "I am determined," he declared, "to stay here no longer. . . . My horror of dissension, and the manifest certainty of becoming involved in disputes with certain persons with whom I am unwilling to quarrel, oblige me to anticipate these troubles, and to seek some means of living in peace." On the whole, D'Argenson seems to have been a reasonable and temperate official, who found himself involved in difficulties which were not at all of his own seeking.

The new governor, D'Avaugour, last of the Company governors of New France, was a sturdy old soldier, who had seen plenty of service in European wars. He had been warned against the Jesuits, and on his arrival refused to be received with the ceremonies which Laval had arranged for him. The governor made it clear that while he hoped to live on good terms with the Jesuits, he was not disposed to brook any of their domination. As his temper was easily roused a quarrel was not long delayed. The question now at issue was not altogether a new one, but it had not up to this time assumed an acute phase. It was the question of the liquor traffic which now made its way onto the political stage of the colony to prove a source

of strife and tumult for generations to come. No other question in early Canadian history gave rise to such uncompromising bitterness or caused the undoing of so many capable officials. As the fur trade developed it was found that brandy formed the most effective purchasing agent which the French possessed, and in consequence large quantities of it were brought over annually from France. The Indians soon developed an inordinate passion for the intoxicant, and, when necessary, parted with large quantities of valuable furs for a few gallons of it. The savage drank till he was drunk, and when drunk acted like a being possessed of the devil. Every visit of the tribesmen to a French settlement and every arrival of French traders in their midst was an occasion of general debauch, during which some violence was certain to be committed. Not infrequently the Jesuit missionaries found their very lives endangered by the tumultuous revellers who when sober were docile enough. Laval convinced himself that the Church could make little progress so long as the liquor trade continued, and, soon after his arrival in the colony,

much for the irascible D'Avaugour. He was not in favor of the drastic regulations, but if the Jesuits demanded it they must stand by its logical consequences: he would make no distinction of sex before the law. "Since," he said, "you do not wish it to be a crime for this woman, it will not be a crime for anybody." The result was a repeal of the decree, and the throwing open of the trade once more, and forthwith the carnival of drunkenness recommenced. Even in Quebec and Montreal the ungodly revelled boisterously under the very eyes of the bishop in celebration of their restored license. Laval was frantic with anger. He tried excommunication, but found that his clerical blows rained harmlessly on the shoulders of the lusty traders, to whom a deprivation of the offices of religion was a matter of very scant consequence. The haughty bishop could bear matters no longer: in the autumn of 1662 he set off for France, there to lay the whole question before the king. The outcome was as might have been foreseen. The whole influence of the hosts of Loyola in France was at Laval's disposal, and the king was prevailed upon to issue a prohibitive order. D'Avaugour was summoned home, and the bishop was asked to name a suitable successor.

Before his departure the deposed governor sent to the French minister a memorial in which he set forth the outline of a plan for the transformation of New France into a powerful military colony under the direct control of the crown. This plan seems to have impressed Colbert, who was now in charge of colonial affairs, with the result that some of the suggestions which it contained were soon acted upon.

Just before the departure of the governor the colonists were terrorized by a series of severe earthquakes. The Jesuits' *Journal* relates that the shocks were so violent that great trees were torn from their roots, houses swayed to and fro, the chapel bells pealed, and darkness came over the face of the earth. "The motion," writes Lalemant, "was like that of a ship at sea, so much so that divers persons

felt the same disorders of the stomach that they are accustomed to feel on the water." The superstitious beheld visions in profusion. "We beheld," narrates the same chronicler, "blazing serpents which flew through the air borne on wings of fire. We saw above Quebec a great globe of flame which lighted up the darkness and threw out sparks on all sides." It is not recorded, however, that any one was injured nor that any building was damaged, so that one may be pardoned for imagining that Lalemant's account of the phenomenon somewhat oversteps the domains of actuality. A few severe shocks such as have several times occurred on the continent together with a more than ordinarily brilliant meteoric shower probably gave basis for the whole portrayal. It may not have been the severity, but the novelty of the phenomenon which terrified the superstitious folk.

The recall of D'Avaugour marks the close of the Company régime in New France. The colonists were themselves discontented with the existing system, and some two years before, had despatched a commissioner, Pierre Boucher, to represent to the king the tardy progress which the colony

to the Indian troubles and the prohibition of the liquor trade. The surrender was accepted by the king in the following month. "Instead of finding," recites the Edict announcing the acceptance, "that this country is settled as it ought to be after so long an occupation thereof by our subjects, we have learned with regret that not only is the number of its inhabitants very limited, but that even these are every day exposed to be expelled by the Iroquois" . . . We have, therefore, resolved to withdraw it from the hands of the said company and to declare and order that all rights of property, justice and seigneurie . . . and all and every other rights granted by Our Most Honored predecessor and father by the Edict of April 29, 1,627, be and the same are hereby reunited to our crown, to be hereafter exercised in our name by the officers whom we shall appoint in this behalf."



CHAPTER IV

UNDER LOUIS QUATORZE

THE Company of New France having surrendered its powers, rights, and privileges, the colony became a royal province. The company's administration had been equally disastrous to its own stockholders and to the wide expanse of territories under its control. The few score of seigniories, scattered along the northern slope of the St. Lawrence, most of them still uncleared, many of them quite uninhabited, bore ample testimony to the absence of zeal manifested by a commercial company for any permanent agricultural development. The tedious succession of broils and dissensions, both civil and ecclesiastical, as amply testified to its administrative incapacity; while the marked decrease in the fur traffic during the final decade of its existence had served abundantly to show its inability even to maintain its position as an exploiter of colonial resources. A dispirited and almost defenceless colony, a legacy of Indian enmity, an empty exchequer, were meagre returns indeed for the princely privileges which the king had placed in the company's hands nearly forty years before.

It was not difficult, therefore, for Colbert to convince his sovereign that it was time for a change. Accordingly it was decided to provide the colony with a civil administration modelled more or less roughly upon the system which had long been in existence in the provinces at home; a system, the main features of which had been worked out

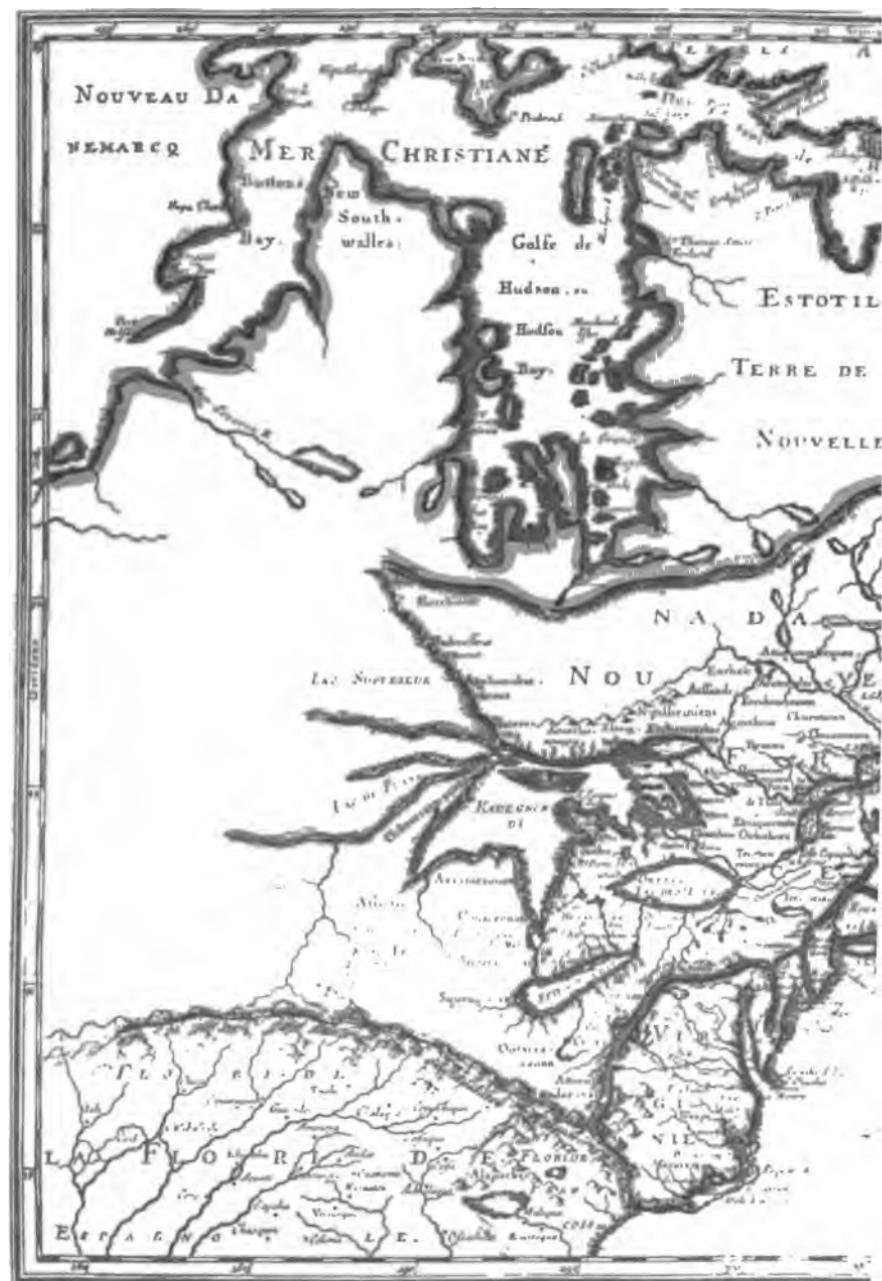
by the genius of Richelieu. This was accomplished by the issue of a Royal Edict during the course of the month of April, 1663. While the provisions of this edict were mainly the work of Colbert himself, it is highly probable that the ideas and desires of Laval, expressed to the minister during the course of the preceding year, found expression in some of them. The preamble recited at length the circumstances under which the king had taken the administration of the colony into his own hands. The great distance intervening between the colony and the motherland, and the consequent delays, resulting therefrom, in the transmission of his majesty's orders, were given as reasons in support of the royal design to create a colonial administration such as would be able to deal directly with all merely local matters. Provision was, therefore, made for the creation of a Sovereign Council (*conseil souverain*) which should supplant, with increased powers, the administrative body of the company régime known as the Old Council (*ancien conseil*). The new body was to have its headquarters at Quebec, unless the occasion should demand its sessions elsewhere, and was

to follow that in vogue in the Parliament of Paris. Nevertheless, the king took occasion to expressly reserve the right to restrict the application of French laws and ordinances to the colony or to enact new laws and ordinances for the colony alone if occasion should so demand. The Council was to have the supervision of police and judicial organization, being given power to establish minor royal courts equipped with the necessary officials and charged to take cognizance *sans chicane et longueur de procedure* of all offences committed within their respective jurisdictions, saving always the right of appeal to the Council. To the Council, likewise, was committed the duty of registering royal edicts on their receipt in the colony, and of arranging for the due communication of their contents to the people. When necessary, the Council was empowered to carry out the main principles enunciated in these edicts and to vary their application to specific cases by the issue of ordinances on its own authority.

The first governor under the new régime was M. Saffrey de Mésy, whose commission of appointment bears date the 1st of May, 1663, although the mention of his name in the edict of the preceding month shows that the government had him in mind some weeks previously. De Mésy was a fellow townsman and protégé of Laval; a devout friend of the Church; an official whose character and training seemed to promise cheerful acquiescence in the policy of the bishop. Rumor had it in the colony that De Mésy had refused the first tender of the post, pleading his poverty and absolute inability to satisfy his creditors, but that the king had advanced sufficient funds to remove all objections to acceptance on this score. At any rate, the appointment was accepted, and the governor and the bishop reached the colony in September, 1663. With them they took blank commissions to be filled in with the names of the five new councillors whom it was their duty to select. Immediately the work of selection began, and within three days after their arrival, the five appointments were announced. De Mésy

was a complete stranger to the colony, and was, in this matter, wholly under the counsel of his ecclesiastical colleague, so that Laval became, for the moment, the true source of patronage. The councillors selected were Rouer de Villeray, to whom was given the post of Keeper of the Seals. Villeray, according to a contemporary writer, first came to New France in 1651 as the valet of Governor Lauzon, who had taken him out of a Rochelle jail. During the closing years of the company's régime, Villeray had become prominent in its affairs, not without considerable pecuniary profit to himself. The second member was Juchereau de la Ferté, a prominent citizen of Quebec, and likewise an official of the defunct Company, one of those who was currently reputed to have had some hand in the shrinkage of profits which characterized its dying years. The three others were Ruette d'Auteuil, Le Gardeur de Tilly, and Matthieu d'Amours. Of these, the critics of Laval venture no more serious charge than that they were "incapable persons." At any rate, all were sound in the faith, trustworthy supporters of the Jesuits in general, and of the bishop in particular: of this they had given ample





Map of Canada, or New France, by N. Sanson, dated

1656.

urrie & Sons.



from the original copperplate in possession of the
Vizcaya.



investigation of those charges which he had, some time before, made against Villeray, Bourdon, and others. So, on the morrow after De Mésy's arrival, Dumesnil had waited upon him to ask his coöperation. With the governor at this moment was M. Gaudais, who had been sent out to the colony by the king with instructions to gather such statistical and other materials regarding colonial conditions as might be of service to the home government. Gaudais was likewise instructed to note the capabilities of the new councillors and the general prospects of the new administration. Secret directions had been given him to note carefully the bishop's conduct and, if possible, to find out why Laval had been so anxious for the recall of D'Avaugour. This policy of assuming to give an official full confidence, while at the same time subjecting him to the cynosure of an administrative spy, was abundantly characteristic of French colonial policy in the seventeenth and eighteenth centuries. Dumesnil directed the attention of both De Mésy and Gaudais to royal edicts issued some years previously, making provision that all receivers of public moneys were to be excluded from office until they had made satisfactory account of all funds passing through their hands. Villeray and Bourdon he instanced as being ineligible under the terms of these edicts. De Mésy and Gaudais promised to give the objections due consideration, with what sincerity may be judged from the fact that the appointments of the two were announced on the following day.

The difficulties with Dumesnil had just begun, and Gaudais was soon given ample opportunity to observe the vindictiveness of the bishop and his friends. In his later report to the king the details of the whole quarrel are recited in full, and it is from this document that one may hope to draw a fair narrative. On the 20th of September, only two days after the appointments had been announced, the Council met to hear the recommendation of the attorney-general that Dumesnil's papers should be seized and searched. The ostensible reason given was that Dumesnil had retained

some papers which should have been deposited with the public records; the real reason was a desire to get hold of some documents in his possession which were known to incriminate certain members of the Council and their friends. This recommendation was at once adopted, and Villeray and Bourdon were commissioned to make the search and seizure. Taking a squad of soldiers, they proceeded to Dumesnil's home. Here, the soldiers held him in a chair, while the two councillors gathered together all the papers in the house. As time did not permit any examination of these on the spot, the whole, both official and private, were carried off. In spite of his vigorous protests, Dumesnil was neither given an inventory of his documents nor allowed to call in witnesses to the proceedings. The documentary booty was securely placed under seal in Villeray's house, and on the following day the Council ordered that for his violent oral abuse of the searchers Dumesnil should be placed under arrest. But before this arrest could be effected, Dumesnil sought the intervention of Gaudais, who persuaded the councillors to suspend any drastic proceedings until the whole matter could be submitted to the home authorities. In the meantime, he asked Dumesnil to set forth his side of the case. This the latter did in a ponderous *dossier* of thirty-eight manuscript pages, replete with charges of dishonesty, malversation, and violence against Bourdon, Villeray, Ferté, and Tilly. The records of the Council contain no intimation of the high-handed seizure of Dumesnil's papers; they do contain record that his petition was received on the 22d of the month. But Dumesnil would not let the matter lie; his attacks on the reputation of the councillors and his demands for the return of his papers became such an unbearable nuisance that the Council was deterred from insisting on his arrest only by the fear that such action would strengthen Dumesnil's case with the king; for Louis XIV., arbitrary as he could be himself, had little sympathy with high-handedness on the part of his subordinates. So recourse was had to a ruse which, in its

conception, was quite characteristic of the men from whom it emanated. The last ships of the year were to leave Quebec for France toward the end of October, and it was planned to take Dumesnil into custody the moment these were out of sight. News of the arrest could not, then, reach France for almost a year; in the meantime, the case would have been decided on its other merits. But Dumesnil learned of the plan through a friend; and the day before the vessels sailed, he went on board one of them, engaging passage to France. The Council, in its chagrin, tried to hold the vessel in port, even ordering the guns of the lower fort to be trained on her to enforce compliance; but the ship passed defiantly out of the St. Lawrence, and in due course landed Dumesnil at Rouen. Proceeding to Paris, he made haste to lay his accusations before Colbert, who received them with no little surprise, for he had just received despatches from Gaudais in which no mention of the affair had been made. The minister was satisfied, however, that Dumesnil's accusations were not wholly without foundation, and at once turned the whole matter over to the Department of Marine and Colonies for a thorough investigation. How far this investigation was pursued, or if, as is most likely in view of the traditions of the department, the whole *cabier* was promptly pigeon-holed, cannot be ascertained: no further report on the case can be found among the departmental archives.

That the charges contained a liberal admixture of truth is beyond any reasonable doubt, but that the peculations were as extensive as Dumesnil claimed is hardly probable. The financial affairs of the Company had been conducted in a loose and unbusinesslike manner, so that much that was attributed to wilful malversation was, in all likelihood, due to wilful negligence. At any rate, Dumesnil remained in France, and the colony henceforth heard little either of his charges or himself.

But the disappearance of Dumesnil from the stage of colonial intriguery,—it can scarcely be called “politics,”—by

no means put an end to colonial broils. Quebec remained much as it had been, in the words of Laval, "a little hell of discord." And to discord within was added danger without. The Iroquois, who had given the colony a short respite during the summer of 1663, waited only till autumn to recommence their forays. At Three Rivers a raid resulted in the capture of a small party of soldiers who were unfortunate enough to be surrounded outside the walls. At Montreal a party of Mohawks appeared to ask an exchange of prisoners, but before the negotiations had been completed the savages treacherously massacred the friendly Huron families with whom they had been quartered during their stay and took to the woods. As a matter of fact it was only the more western tribes of the confederacy,—the Senecas, Onondagas, and Cayugas,—who desired peace; the eastern tribes, the Mohawks and Oneidas, desired a continuance of hostilities, for the weakness of the French during the closing years of the Company régime had inspired them with lordly notions of their own prowess. The western tribes had their hands full with their own enemies still further westward, and one war at a time was now their policy. So that the latter determined, since the Mohawks had treacherously broken off negotiations, to treat for themselves, and an embassy from the Senecas and Onondagas was despatched to Quebec with this end in view. This embassy was ambushed and almost annihilated by a party of Algonquins, but the desire for peace was sincere and a second delegation took its place. At Quebec an interview with De Mézy took place at which the Indians were plainly told that if the conduct of their fellow tribesmen warranted peace they should have it: the French would make no definite promises except that if Iroquois forays did not cease the governor would carry hostilities into their own country. For a time the Senecas and Onondagas desisted from hostile operations against the colonists, but the Mohawks and Oneidas continued their depredations. At regular intervals they raided the settlements upon the St. Lawrence and the

Richelieu, and ambushed small parties of Frenchmen; then they would vanish into the forests where pursuit was hopeless. No large operations were attempted, but their persistent *petites guerres* made the life of the colonist well-nigh intolerable.

Meanwhile, within the palisades of Quebec all was not going smoothly. De Mésy, it will be remembered, had been placed in office at the desire of Laval, and for a time his subservience had been complete. There were no longer disputes as to who should first receive the sacred bread, nor as to whether the troops should uncover at the elevation of the Host. Neither was the traffic in *eau-de-vie* any longer a matter to cause discord, for within a fortnight after the governor's arrival an ordinance had totally prohibited all liquor trade with the Indians, threatening dire visitations of the vice-regal wrath to those who disobeyed. Likewise when the bishop desired a change in the official status of Maisonneuve, governor of Montreal, De Mésy proved thoroughly compliant. Maisonneuve held his appointment from the Sulpitians, who were seigniors of the island of Montreal. Laval, sharing the antipathy of the colonial Jesuits toward the sister order, now insisted that Maisonneuve should take his commission direct from the crown. The change was recommended and met with the approval of the minister. But the governor's patience soon began to chafe under the overbearing dictation of his ecclesiastical colleague. In his Council he found that Villeray and Bourdon were beginning to show a disregard for his opinions, which betokened reliance on a power more effective than his own. It did not take De Mésy many months to discover that his councillors were acting the part of Jesuit agents rather than that of vice-regal advisers, for on every slight difference of opinion which chanced to arise between himself and Laval, he found that the latter could count on the councillors to a man. His proud temper, bent but not broken by his long walks in the straight and narrow path at Caen, now sprang once more erect. Quickly making up his mind that the

Council would have to be reconstituted, he sent word to Laval that the services of Villeray, D'Auteuil, and Bourdon as members of the Sovereign Council would be no longer required, they having, as the notice read, "conducted themselves in various ways against the king for the promotion of their private and personal ends." As the edict creating the Council had vested the power of appointing and removing councillors in the hands of governor and bishop jointly, Laval was asked to acquiesce in this move. Furthermore, it was suggested that a mass meeting of the inhabitants be called in order that their successors might be elected. Here it was that De Mésy erred. A governor of greater political experience would have realized how little support the introduction of the principle of representative government into the colonial system would be likely to receive from Louis Quatorze. The suggestion gave Laval an opportunity which he was not slow to seize. His reply did not undertake any defence of the councillors nor did it even deny the right of the governor to dismiss them, but Laval did make it clear that he would neither be a party to their dismissal without a prior investigation nor to the selection of their successors by popular vote. Laval asked that his reply be placed upon the Council records. Undaunted by the bishop's attitude, De Mésy determined to carry his plan through, and at once ordered his decree to be promulgated to the inhabitants by "beat of drum." But the very isolation of his position soon caused the governor to feel less sure of his ground. He wavered sufficiently to ask advice from his confessor, who, like a good Jesuit, told him that it was not for a cleric to decide points of temporal policy. But while he did not proceed with the election of new councillors, he refused firmly to reinstate those whom he had dismissed. The meetings of the Council continued to be held by the remaining members, and these meetings Laval regularly attended. As the post of attorney-general was vacant and judicial matters were being delayed, the governor named Chartier de Lotbinière to the office. A

month later Lotbinière was asked to resign and Bourdon restored, while D'Auteuil and Villeray were likewise reinstated as members of the Council. What brought about the governor's change of mind will never be definitely known. Possibly he was overcome by fear of the Church, for he was before all things a religious devotee. Or it may have been that the Jesuit superior, Lalemant, a man of uncommon sense and judgment, had succeeded in his exertions to bring about a compromise. At any rate, the councillors suddenly found themselves back in office and all went smoothly for a time.

It was not long before troubles again occurred. When the new régime had been inaugurated in 1663, it had been arranged that Quebec should be raised to the dignity of a city, and that its local affairs should be placed in the hands of a mayor and alderman (*échevins*). The citizens were summoned to meet in the presence of the Council and to proceed to an election, and as a result one Repentigny, a prominent citizen, was selected as mayor, with Jean Madry and Claude Charron as aldermen. The conciliar records testify as to their election, but the officials do not seem to have entered fully on their duties, for, some time later, the Council decided that in place of a mayor the inhabitants should elect a syndic. To this post Charron was, accordingly, elected, only twenty-one votes being cast. But this choice did not satisfy the bishop and his friends, so the quarrel again began over a question as to the validity of the election. At this point the commissions of the five councillors, whose appointment had been for one year, expired. De Mézy proposed the selection of new members, while Laval insisted upon retaining the old. To break the deadlock the governor proposed that the bishop should draw up a list of any twelve colonists from which the governor might make his selection, but this proposal Laval flatly refused. The governor had his choice between another quarrel and another backdown; he chose the former without hesitation. Villeray, Bourdon, D'Auteuil, and La Ferté were

replaced by members chosen from among the governor's personal friends.

Immediately, Laval turned the thunders of the Church against this *coup d'état*. From the pulpits of the town came denunciations of the governor and his policy. But this time De Mésy refused to yield, and as Bourdon and Villeray declined to relinquish their posts, they were deported to France. Kingsford declares that Villeray left the colony of his own accord, and cites in support of this statement a minute of the Council in which it was stated that Villeray was allowed to transfer certain moneys then in his hands, he having expressed the intention of leaving for Paris. Parkman claims to have reason for believing that both Bourdon and Villeray were deported.

De Mésy was a loyal son of the Church, although his conception of his duty toward his sovereign compelled him, for the time being, to oppose its policy, but this antagonism was deeply painful to him. The whole matter, moreover, had been, as usual, reported to the king, and the governor could be by no means certain of justification from Louis in view of the powerful influence of the Jesuits at the court of Versailles. De Mésy was without influential friends in

who, implacable only when opposed, had granted his pardon and absolution. "He went to rest among the paupers," says Parkman, "and the priests, serenely triumphant, sang requiems over his grave."

De Mésy certainly sent home memorials to the king giving his side of the quarrels, but none appear now to be extant. Charlevoix made use of them, and Colbert in his instructions to Tracey gave the substance of the governor's charges against the bishop. But Parkman searched for them in vain, and Kingsford ventures the suggestion that they were destroyed in the vandalism of the French Revolution. Their loss is unfortunate, for only by knowing both sides of the case can its merits be properly judged. As it is, we have the clerical side alone.

De Mésy lacked political sagacity, tact, and experience. His appeal to the people to choose their representatives at the council board, and his arbitrary deportation of Bourdon and Villeray are sufficient to show this. As Colbert wrote: "Such violent conduct could never be approved by the king." Whatever the merits of the original quarrel, De Mésy's action, in these two instances at least, was ill-advised in the extreme.

The dying governor left an order appointing M. de la Potherie to act in his stead until a successor should be named. But the edict of 1663 had given the governor no such power and the Council at once declared this order *ultra vires*. An interregnum was fortunately avoided by the arrival of De Tracey on the last day of June, 1665. He was followed by M. de Courcelles, who was to assume the post of governor, and Jean Talon, who had been appointed intendant. One M. Robert had been appointed intendant of the colony in 1663, but seems never to have come out to the colony. The instructions given to Talon show that Colbert was inclined to believe some of De Mésy's accusations, for the new intendant was warned to keep an open eye on the Jesuits, who, the minister wrote, "had apparently assumed an authority quite beyond their legitimate calling."

De Tracey's investigation of the political difficulties was not an extended one. The death of De Mésy had closed the case as far as the colonists were concerned, so De Tracey contented himself with the recommendation that the governor's "fault be buried with his memory." It has been left for history,—grim exhumer of the interred truth,—to rehabilitate the memory of a man, who, burdened with a weak superstition, devoid of friends and influence, yet sought to walk in the plain but painful path of vice-regal duty.

The arrival of De Tracey was a notable event in colonial circles for he brought out with him four companies of the Regiment de Carignan-Salières, the first regular troops sent to New France. With these came a brilliant staff both of officers and civilians. New France was now attracting some attention at home, and many scions of good French families had caught the spirit of the new imperialism. The new viceroy, his staff, and his troops, landed with such gorgeous display that the contemporary chroniclers of events could scarcely find words adequately to portray the glittering profusion of feathers, gold lace, flaming banners, and glittering steel. Succeeding vessels brought more troops, and social Quebec assumed an aspect of un-

moved up the bank of the Richelieu along Lakes Champlain and George, and across to the headwaters of the Hudson. All were mounted on snow shoes and each man carried his own blankets and provisions. Knowing that the Mohawk villages lay on a tributary of the Hudson, the expedition moved southward, and then striking across Saratoga Lake and Long Lake, found itself close to the little Dutch settlement of Corlaer (now Schenectady), which had lately passed with the rest of New Netherland, into the hands of the English. The cession of this territory from Holland to England, which had taken place in 1664, was now for the first time made known to the French colonial authorities by the appearance of a delegation from the village demanding to know what had "brought such a body of armed men into the dominions of His Majesty." Courcelles explained the object of the expedition, expressing his regret at the transfer and delivering himself of the opinion that "the English king hath a mind to grasp all America." The Dutch settlers offered to place the French on the right road to the Mohawk villages, but they had already warned the tribesmen to be prepared. Courcelles saw that the chance of surprising the Indians was now gone and fearing that an early thaw might cut off his retreat, decided to return home as quickly as possible. Harassed by bands of savages, poorly clad and more poorly fed, the French straggled back to the Richelieu.

In a sense the expedition had been a failure: it had failed to reach, much less destroy, the Mohawk villages. But the attempt was not wholly barren of results. Up to this time the Iroquois had deemed their settlements unassailable at any season of the year. Courcelles's expedition showed them that the arm of the French was long enough to strike them in their homes. Hence, as soon as spring appeared, a delegation was sent to Quebec to make terms. These were proceeding quietly when a party of the tribesmen encountered and treacherously attacked a body of Frenchmen in the Richelieu district. The Mohawk leaders were doubtless

anxious for peace and willing to negotiate honestly, but it was very difficult to control the detached bands of warriors. The parleys were broken off and De Tracey decided to equip another expedition to the Mohawk settlements, this time taking the command in person. The usual route was followed, and in September, 1666, the villages were reached without mishap. On the approach of the French the tribesmen fled, and their palisaded strongholds were entered without the loss of a single Frenchman. In the settlements were found large quantities of maize, beans, and Indian fruits, all stored securely in subterranean burrows or *caches*. One writer says that there was enough food to maintain the whole population of New France for a year, had its removal been possible. De Tracey and his men collected as much of it as could be conveniently carried; the balance was destroyed. Palisades, dwellings, and storehouses went into ashes in a single night, and the French moved leisurely homeward. This entire destruction of their food and shelter at the outset of a severe winter was a stunning blow to the tribe. On their own later admissions, hundreds died of starvation before the following

Amid profuse expressions of humility they asked that some Jesuit priests should be sent to reside among them. Anticipating French suspicions they offered to leave a number of their young men as hostages in Quebec. Courcelles took them at their word, and Pères Frémion, Pierron, and Bruyas volunteered to accompany the deputation home. That De Tracey's policy of revenge before peace had been highly successful needs no more ample proof than the fact that the armistice now concluded lasted without serious interruption for a score of years. The sending of the Jesuits was also a masterstroke of French diplomacy, for the Jesuit was no less a political than a spiritual emissary. To no feature of their colonial policy did the French owe so largely their hold on the savages as to their practice of placing missionaries among the tribes whenever the slightest opportunity afforded. For while never forgetting that the cure of souls was his first care, the disciple of Loyola kept a watchful eye on everything which might be turned to the temporal advantage of his compatriots.

De Tracey had performed his work, and in the following year (1668) returned to France. Many members of his staff accompanied him, but the major portion of his troops were left behind in pursuance of a plan which Talon, the energetic intendant had evolved for the establishment of military seigniories along the exposed frontiers of the colony. Freed from external dangers, New France took on an air of confidence and prosperity. Recent events had shown that the king was taking a deep interest in its welfare; the troops had been well paid and their expenditure in the colony was making trade lively. With prosperity came the beginnings of social gayety, the first important social function in Canada being a ball given by Chartier de Lotbinière, at Quebec, in February, 1667. The Jesuits looked askance at the innovation, but the fact that they did not venture to place the leading participants under the stigma of ecclesiastical disfavor betokens a waning of their influence since the days of De Mésy.

The powers entrusted to Courcelles and Talon as governor and intendant, respectively, were not clearly defined. Subject to the approval of the king they might, when they could agree, take almost any steps which the situation in the colony might seem to demand. To "cause justice to reign, to establish a good police, to protect the inhabitants, to discipline them against their enemies, and to procure for them peace, repose, and plenty," were the general ideals which the ever energetic Colbert set before the eyes of his colonial subordinates. It seemed to be absolutely essential that the two officials should work in harmony, for their respective spheres of jurisdiction were not sharply delimited. The governor was the executive head of the colony, the representative of the king, the commander of the forces, the presiding officer of the Council. The intendant, on the other hand, though inferior in rank to the governor, was to be supreme in all matters of "justice, police, and finance." One seemed to have all the precedence; the other almost all the power. With such abundant opportunities for jealousy and friction it is to the credit of both Courcelles and Talon that, while they had their differences, they never

Talon had ample cause to amend his opinions, for we find him in his later despatches vigorously protesting against hierarchical meddling in purely civil affairs, and recommending to the minister that he be given power to deport the more obstreperous Jesuits from the colony, a request, it need hardly be added, which was not granted. But Talon was able to see, what former civil officials in the colony had not seen, that the most effective way to prevent Jesuit dominance in civil matter was to weaken them in their own spiritual sphere by giving to other religious orders a share in the missionary exploitation of the colony. He therefore asked that some Récollet priests be sent to New France, and in response to this request four friars came out in 1669; others followed later. The ostensible ground taken by the intendant was that one order could not properly garner the rich harvest of savage souls; the real reason was his expectation that a quarrel between the rival religious enthusiasts would be only a matter of time. And as a house divided against itself could not stand, there would be an end to clericalism as a dominant factor in colonial politics. Laval was, however, not so easily entrapped. The shrewd ecclesiastic, while a titular bishop, was still merely vicar apostolic in New France, and hence subject to immediate removal by the Papacy. And he knew well that the Pope would not countenance any conduct which would tend to weaken the Church through internal strife. So he treated the members of the Récollet order with a strict if reluctant courtesy, determined that if quarrels should arise they should not be of his making. Nor did the return to Montreal of M. de Queylus, his old enemy, move Laval to any show of resentment. The bishop's welcome to him was as hearty as it must have been insincere, and he went so far as to record in his only contribution to the *Jesuit Relations* that the arrival of De Queylus had given him "intense joy." Hence, Talon's expectations that the civil power would gain influence through dissensions in the Church were doomed to temporary disappointment.

That there was ever entire harmony between the three, Courcelles, Talon, and Laval, no one will assert. But in view of the tempestuous course of colonial politics up to this time, the working of the administration was giving good ground for congratulation. Courcelles was a gruff old soldier, energetic and impulsive. Little provocation was needed to draw him into hostilities in any quarter. He was as ready to fight the Jesuits as the Iroquois, if the necessity arose. That the necessity did not appear was due largely to the moderating hand which Talon laid on both governor and bishop, and to the repeated injunctions of Colbert that there were to be no more interofficial squabbles. So matters ran along with little unevenness down to 1672, when Courcelles solicited and received his recall to France on the ground of failing health. Little is known of the governor's personal history, but the estimate of Charlevoix may be taken as impartial enough. "If he did not possess the eminent qualities of his successor," writes that historian, "he had but the least of his faults, and his passions were much less violent. He aimed sincerely at good; his prejudice against the ecclesiastics and missionaries never



François Xavier de Laval-Montmorency.

First Bishop of Quebec.

From the original at Laval University, Quebec.



Paul de Chomedey, Sieur de Maisonneuve.

First Governor of Montreal.

From the engraving in Sulte's "Canadiens-Français" ..



roll of illustrious and public-spirited Frenchmen who gave the best years of their lives in the establishment of a Bourbon empire beyond the seas, there is no name more honored by Canadians than that of Jean Talon, the "Colbert of New France." Laval still remained in the colony; he had been definitely elevated to the post of Bishop of Quebec in 1670, a promotion he had long earnestly desired.

The closing years of the Courcelles-Talon administration had witnessed a striking increase in both the population and general prosperity of the colony. This condition was in no small measure due to the policy advocated by Talon of sending marriageable girls from France to the colony. Louis XIV. had furnished the colony with constant accessions to its male population, but there were few wives for the men, and so the king, yielding to Talon's solicitations, adopted the policy of sending out young women, demoiselles and peasant girls, who were speedily made wives. The king dowered each of the girls sent over by his orders; moreover, early marriage was encouraged by a royal gift, and fines were imposed on celibacy, while bounties were granted to couples who possessed large families. With the increase of population and growing prosperity came renewed enthusiasm for exploration and the exploitation of the fur trade in new parts. It remained for this spirit to manifest itself in tangible results during the opening years of the next governorship. Courcelles's successor was Louis de Buade, Count Frontenac, a lieutenant-general in the army, who had served with much distinction in the wars at home. Fifty-two years old when he landed at Quebec, Frontenac had a mature, active, penetrating mind, a body stored with all but inexhaustible energy. These, during his two terms, 1672-1682, 1689-1698, he was destined to devote ungrudgingly to the interests of French power in America. No intendant was sent out along with the new governor, for the reason that Talon had not yet left the colony, although his request for recall had been granted. Some matters requiring his personal attention had

delayed his departure. Some little time before, he had made up his mind to endeavor to verify the report that in the far west a great river led southward to a salt sea, and had entrusted this task to Father Jacques Marquette and M. Joliet, a citizen of Quebec. Their enterprise he warmly commended to the new governor. Marquette had served as a missionary at Mackinac, and, hence, knew the western country well. Joliet was a man of good education, especially in the realm of mathematics, having received his training in the Jesuit seminary. There is some doubt as to which of the two was the chief spirit in the enterprise. The Jesuit records attribute to Marquette the origin and leading share in the affair, but Parkman, winnowing his sources with his usual acumen, prefers to follow the evidence of secular contemporaries that Joliet was the main mover. At any rate, a start was made from Marquette's mission, at Mackinac, in the spring of 1673, and after making their way along Fox River to its headwaters, and thence portaging across to the Wisconsin, the Mississippi was reached somewhere near Prairie du Chien. Descending the river day after day for several weeks the voyagers

made a detailed report of the explorations to the home government. Marquette never fully recovered from the fatigue of the enterprise, and died in the autumn of the following year. Some of the more ardent champions of La Salle endeavored, years later, to support the claim that Marquette and Joliet had never made the journey as represented, but had worked off a plausible fiction upon their contemporaries. But no fact of early colonial history is more amply authenticated. The opinion of the erudite Shea, who has made the period particularly his own, ought to be decisive on this point.

The mention of La Salle suggests some consideration of the part which he was taking in colonial matters at this time. Robert Cavelier, Sieur de la Salle, was a native of Rouen, that rugged old Norman seaport which has given to Canada so many of her virile sons. We have the testimony of Hennepin that La Salle was a member of the Jesuit order, but there seems no other foundation for this assertion than that he received a part of his education in a Jesuit school. Coming out to New France about 1666, he proceeded to Montreal, where an elder brother, a Sulpician priest, was then stationed. Shortly afterward he received from the Seminary of St. Sulpice, the grant of a seigniory above the rapids some eight or ten miles from Montreal. Kingsford takes this as evidence that the young Norman "must have inherited money," but a reference to the title deeds show that the grant was made without *prix d'entrée* and with the nominal payment of "one silver mark at each mutation of ownership." To the new seigniory was given the name La Chine, it is said, because the grant was thought to lie on the road to China. For some little time the young seignior devoted himself industriously to the task of developing his grant. But his restless spirit took fire at the reports brought down by Indians regarding the existence of a great river in the west, and the fall of 1669 found him at Quebec asking permission of the authorities to conduct an expedition to verify these reports. Permission

was granted, and La Salle at once sold out his seigniory for thirty-eight hundred livres. Early in the following July he commenced his trip accompanied by Dollier de Casson, Galinée, and a score of others. Passing up the St. Lawrence they skirted the north shore of Lake Ontario to near where Hamilton now stands, and then struck overland toward the lower end of Lake Huron. At this stage La Salle was taken ill and declared that he would proceed no further. Dollier, Galinée, and a part of the expedition proceeded to Grand River, which they followed to Lake Erie, and thence canoed through to Mackinac, where they found the Jesuits Marquette and Dablon. The newcomers, being Sulpitians, apparently received neither welcome nor information from the Jesuits, and after a short delay made the trip back to Montreal by way of Lake Nipissing and Ottawa River.

What La Salle actually did after this splitting up of his party is not easy to say; his own journals have not been preserved. Apparently with some gain in strength he pushed on westward, crossed Lake Erie, and journeyed southwestward to the Ohio, which he followed for some distance,

of a fort at or near the junction of Lake Ontario with the St. Lawrence. The proposal had been commended by Courcelles some time before as a means of checking the diversion of the fur traffic to the English at Albany; but for some reason the project found no favor at Versailles. But Frontenac soon took the matter in hand, and early in 1675 an expedition to the spot was organized. The governor had neither money nor troops at his disposal for this purpose, but he issued orders that the inhabitants of Quebec, Montreal, and Three Rivers should each furnish him with a specified number of armed men, equipped and provisioned, to be in readiness to leave Montreal as soon as seed time had passed. Meanwhile, La Salle was sent to the neighboring Onondagas to apprise them of the French design to establish a trading post in their vicinity, but the idea that it was to be fortified was carefully concealed. Not even to the colonial population did Frontenac disclose the true purpose of the expedition, and the general opinion seems to have been that its object was merely to establish some trading arrangement with the Indians of the Upper St. Lawrence valley. The party numbered about four hundred, and on July 12th a landing was made at or near the spot where the Tête du Pont barracks in the city of Kingston now stand. La Salle's mission had been successful, and a numerous delegation of Iroquois was already on hand.

Of all Frontenac's qualities, none was more prominent than his versatility. He was equally at home in the councils of the Grand Monarch or in an Indian powwow. On this occasion, a tactful harangue, translated for him by Le Moyne de Longueuil, together with his patronizing manner and his liberal distribution of tobacco and trinkets, seems to have captivated the savages, who forthwith promised to make the new spot their trading headquarters. Work on the buildings proceeded rapidly and was soon completed, whereupon Frontenac left a small garrison in charge and proceeded to Montreal. The whole affair had occupied less than two months, and had been a conspicuous success.

This must be attributed partly to the masterful energy of the governor himself, but partly also to the fact that a large part of the force was made up of former soldiers from the disbanded Carignan regiment, a feature which permitted the best of organization and discipline.

Fort Cataraqui having been completed, provision had now to be made for its maintenance. Very probably the new fort would prove a source of expense, and to this the king would probably object. Hence, some understanding was reached between Frontenac and La Salle in this regard, for the latter soon received a grant of the post on condition that he would bear the expense of maintenance and repair. The grant included four square leagues of land, together with the islands fronting the post, the whole being given to him as a fief or seigniory. At the same time, La Salle was ennobled, as a mark of the royal appreciation of his services.

These matters having been arranged, the new owner proceeded to Cataraqui, where considerable alterations to the buildings were at once made and a substantial stone structure was erected and flanked with four loopholed bastions of solid masonry. The post now seemed to present an

of La Salle's undertaking on any public grounds. The new intendant, Duchesneau, who arrived in the colony in 1675, was impressed with this popular view. While we have no conclusive proof whatever that Frontenac ever participated in the earnings of the post, it may not be unfair to suggest that "where there was so much smoke, there must have been some fire."

La Salle commenced his operations, and soon Cataraqui became a thriving little settlement. Even during the first two years, the owner estimated his profits at over fifty thousand livres—a very substantial sum in those days. It was not long, however, before his success brought down upon him the envious opposition of many Montreal merchants, some of them quondam friends of his own. These set up the hue and cry that the new post was diverting trade from the colony proper and was injuring the older settlements to the profit of the new. Not less vigorous in their opposition were the Jesuits, for the rupture between Laval and Frontenac had now become an open one, and La Salle had identified himself with the latter. To explain how this new quarrel between the civil and ecclesiastical departments of administration arose, one must recall the circumstances under which Frontenac had been sent out to the colony. It will be remembered that during the administration of Courcelles and Talon affairs had run with unusual smoothness, and that this had been due, in no small degree, to the tact of the latter. But Colbert knew very well the imperious temper of Frontenac, and seems to have doubted whether any intendant would find it easy to work harmoniously with the count and still retain any independence. At any rate, he decided not to appoint an intendant for the time being, especially as Talon had not yet left the colony. Laval was in France at the time, so that the governor, at the outset of his administration, had absolute freedom in his administrative acts. Under such circumstances, there seemed to be no reason why colonial affairs should not run along with the utmost smoothness. But this they certainly

did not do. There was, to be sure, neither bishop nor intendant to oppose the governor, but at Montreal there was the irascible Perrot, and with him Frontenac soon managed to get into contention. The trouble began over an ordinance, which had recently been issued, forbidding trade with the Indians in their homes and calling in the horde of *coureurs de bois*, against whom the ordinance was especially directed. The object of the new regulation was to induce the Indians to come to the French settlements to trade; but, although heavy penalties were threatened, most of the *coureurs de bois* paid little attention to it. This defiance was regarded by Frontenac as implying their reliance on someone in authority, and stray rumors reached him that Perrot was urging the traders not to take the prohibition too seriously. So, knowing that large parties of the *coureurs de bois* came down to Montreal at certain seasons to market their furs and to restock with supplies, Frontenac despatched two officers thither to effect the arrest of the more prominent of their number.

Perrot regarded this as an infringement on his jurisdiction and promptly jailed the officers, but on second thought allowed them to return to Quebec. To Frontenac this proceeding seemed a gross insult to the royal authority as represented by himself. Had he been possessed of sufficient military force, stern soldier that he was, a few days would have seen him on his way to Montreal to bring the recalcitrant commandant to his knees. But fortunately for the peace of the colony he could do little but summon Perrot before him. Perrot appeared. When two such men meet, compromise is not the most probable outcome. So after a very stormy conference Frontenac had the Montreal commandant taken into custody, and with the returning ships deported him to France. The home authorities, as usual, bewildered by the wildly contradictory stories of each side, determined to reprimand both. Frontenac was advised that conduct somewhat less arbitrary would be more apt to satisfy the king, while Perrot, having purged his contempt by

a short term in the Bastille, was sent back to his post at Montreal.

But the incident served to convince the French minister that Frontenac was too apt to misuse his power when left alone in its enjoyment, and it was decided to appoint someone to the vacant intendancy. To this end Colbert selected Jacques Duchesneau, formerly royal treasurer at Tours, and a man of energy and firmness. Laval, who had been for some time in France, likewise hastened home, the bishop and the new intendant journeying in the same vessel. On the voyage out the two became good friends and their friendship boded no good to the governor, as Frontenac well understood. And to further weaken his gubernatorial hands an edict was issued by the king decreeing that henceforth the appointment of councillors should rest with the home and not with the colonial authorities. At the same time the number of councillors was increased from five to seven. Undoubtedly the change was likely to make for harmony, but the governor regarded it at once as the result of Laval's intrigue and was consequently not in the best of humor when the bishop and the intendant reached the colony. The first collision came on a matter of precedence at mass and at council meetings. In both cases there is some ground for believing that Laval instigated Duchesneau to make extravagant claims to precedence of the governor. When the matter was referred to the minister, Colbert upheld Frontenac in his claims to precedence in the church services, but denied him the right to preside in Council. Both officials were advised, at the same time, that the colony afforded better opportunities for the expenditure of their respective energies than the stirring up of trivial disputes.

The occasion of the great and final quarrel, however, was the old question of the liquor trade, which had already brought D'Avaugour and D'Argenson to grief. Despite the energy of the Jesuits, the trade had never been completely eliminated, and during Laval's absence in France it had revived remarkably. Brandy was imported in large quantities,

liberally diluted, and taken in canoes to the western settlements. So extensive had the trade become that those who engaged in it might be numbered by hundreds, and the enormity of the traffic appalled Laval on his return. Protests to the governor proved futile, and in 1677 the bishop despatched an agent to France to seek the personal intervention of Colbert in the matter. For this mission he chose M. de Dudouyt, one of his grand vicars, and intrusted him with a formidable *dossier* of documentary proofs. In due course De Dudouyt had an interview with Colbert in which he emphasized in vigorous language the disorders which liquor had been causing among the savages and the difficulties which its use placed in the way of missionary work. That the Church had a right to excommunicate those engaged in the traffic he sought to prove by submitting the opinions of several Sorbonne professors, but this to a man of Colbert's temperament was far from conclusive proof. To give support to De Dudouyt's representations, came a long despatch from Duchesneau, while Frontenac and his friends made equally vigorous pleas in defence of the traffic on the ground that it was the only means of saving the fur

The most Christian king had always insisted that the true ends of colonial development were "the glory of God and the enrichment of his people;" in the eyes of Colbert the second of these ends was apparently not the lesser. The minister, therefore, informed De Dudouyt that colonial commerce could not be made so completely subservient to spiritual propaganda, and that if Laval persisted in excommunicating those who engaged in the trade, such action would incur the royal displeasure. De Dudouyt hastened to recommend to Laval that all such excommunications be suspended for the present, and this course the bishop, much to his own chagrin, was constrained to follow.

But Colbert did not let the matter drop for we find him making a request of Duchesneau to send along all the authenticated facts at his disposal while, at the same time, he wrote to Frontenac asking that a special commission of twenty prominent colonists should be appointed to investigate the whole matter and report. Accordingly, in October, 1678, the governor and Council appointed the Commission of Twenty as desired, "to enquire into the divers murders and other crimes alleged to arise from the use of liquor by the savages during the past six years." It is of interest to note that La Salle was one of those selected. The inquiries were pursued at some length, and in the course of a month the report was ready. Most of the members were, like La Salle, friends of the governor, and the general tenor of the report was, as might have been expected, strongly in favor of the continuance of the traffic. The commissioners reported that the disorders reputed to have been due to the trade, had been greatly exaggerated by the Jesuits, and that the advantages gained through a prohibition of the traffic would in no measure commensurate with the loss of the fur trade which would undoubtedly ensue. The report was signed by seventeen members out of the twenty; the remaining three submitted a minority report advising entire prohibition. Both reports were sent off to France in the hands of a special emissary.

Meanwhile, Laval had not been idle. Knowing full well, from the composition of the commission, what its report was likely to be, he set off for France with the intention of laying the whole matter before the king. Without approaching the ministers at all, he secured the assistance of the Archbishop of Paris and of the king's private spiritual advisor, Père la Chaise, and with these obtained an interview as desired. The outcome of the whole matter was that a compromise was ordered. The governor was instructed that the sale of liquor might be permitted only at the trading posts; but that in no case might brandy be carried by *coureurs de bois* into the Indian countries. Ostensibly this was a great concession to the Jesuits; in reality it left matters much as they had been. For trading posts might be established temporarily wherever the vendors of liquor found it expedient. And, in fact, with liquor once got as far west as Cataraqui it would be absolutely impracticable to prevent its distribution to all points in the western wilderness. On the main question Frontenac had gained his point; the necessity of recognizing brandy as the chief purchasing power in Indian commerce had been conceded.

Laval returned to Canada in 1680, but he was far from accepting this compromise as final. From time to time, both he and his successors made renewed demands for a reopening of the question, but none of them was able to persuade the minister that the exigencies of colonial trade should be subordinated to ecclesiastical interests.

But the question of the *eau-de-vie*, while the most important, was not the only point at issue between Frontenac on the one hand and the intendant, abetted by the bishop, on the other. On almost every point of administrative policy they differed most decidedly. Hardly a Council meeting passed without friction of some kind or other. The councillors sometimes supported one, sometimes the other, with the result that the meetings were usually stormy ones. Every autumn the returning ships carried home the inevitable *cabiers des doléances* to tax the rapidly exhausting patience

of king and minister. The latter warned, reproved, and threatened both, but to little apparent result; the bickerings continued. The indefatigable Colbert read the long despatches filled with charges and recriminations, and reiterated his warnings to all concerned. But the retirement of the great minister from office in 1681, and the accession of his son, Seignelay, in his stead, gave matters a new aspect, for the new head of affairs was gifted with but a small portion of his father's patience, nor had he much conception of the difficulties of maintaining harmony in an outlying dependency. Both Frontenac and Duchesneau made haste to offer him their congratulations, supplemented, of course, with the usual generous quota of accusations against each other. "Disorder," wrote the intendant, "rules everywhere. Universal confusion prevails in every branch of activity; . . . and justice is openly perverted; violence supported by authority alone decides everything." Frontenac in terms fully as strong wrote of the difficulties which he had to surmount owing to the dishonesty, intrigue, and obstinacy of the intendant. Appalled by the bewildering contradictions, Seignelay took the matter to the king and Louis XIV. determined to send an autograph letter to each official. Both were identical in ordering the governor and intendant to make prompt end of their personal bickerings, concluding with the significant warning: "unless you harmonize better in the future than in the past, my only alternative will be to recall you both." But propensities to contention had become chronic and even this threat was inadequate. The very next vessels brought mutual complaints and the king, as good as his word, recalled both officials to France. Never was a summary dismissal from office more richly deserved. As to which of the two was at fault is not within our province to determine. The probability is that the shares to be properly cast on each would not be noticeably unequal, although the later testimony even of Frontenac's enemies would seem to show that the governor was intolerable only when provoked. It

is sufficient that neither had been willing to sacrifice personal animosities for the public good. In the broad domain of political action, Frontenac was incomparably the abler man; in the narrower fields of petty strife Duchesneau, the man of meaner attainments, proved himself, as is usually the case, a not unequal match. The departure of both was regarded as a blessing by the great majority of the colonists to whom official squabbles had long been wearisome. But there was not lacking in the minds of many, the feeling that if ever the colony found itself in critical straits; if ever there were urgent need of an iron hand to rule within and to guard without, there was still one man to whom New France would instinctively turn and that man was Louis de Buade, Comte Frontenac.



(CHAPTER V)

UNDER LOUIS QUATORZE—(Continued)

DURING the few years preceding the recall of Frontenac, much progress had been made in the way of western exploration, this being due, in the main, to the exploits of the energetic La Salle. It will be remembered that, a few years previously, the explorer had visited France, and there had procured capital wherewith to make very substantial improvements to his trading post at Cataraqui. During his visits to Paris he had likewise been successful in enlisting in his service a daring spirit who was to become his chief lieutenant and faithful companion both in success and adversity—Henri de Tonti, better known as “Tonti of the Iron Hand.” De Tonti had lost a hand in battle and wore in its place an artificial one of iron, which on several occasions he used with wholesome effect on the heads of contumacious Indians, inspiring them with a dire dread of him. It was La Salle’s purpose to establish a post at Niagara, and to put his new lieutenant in charge; by the autumn of 1678, he was ready to put this plan into effect. Besides De Tonti he had had at his disposal a Franciscan priest, Père Hennepin, who had arrived in the colony some years before, and had been assigned temporarily to duty at Cataraqui. Of Hennepin’s earlier life, very little is known except such as may be gleaned from his own writings. According to these he was born in Flanders in 1640, was educated for the church, and had come to Canada with a hungering both for adventure and the cure of souls. So in

the early winter of 1678, La Salle, De Tonti, and Hennepin, accompanied by several companions of lesser note, but among whom were Lamotte-Cadillac and La Forêt, set forth for Niagara. A couple of small vessels had been constructed for the enterprise, and these bore the voyageurs in two parties. The opening days of December found Lake Ontario in a turbulent mood, and it was only with the greatest difficulty that the region of the great cataract was finally reached. Here a difficulty, not altogether unexpected, arose. The neighboring Senecas, always suspicious of New French undertakings, learned with ill-concealed displeasure of the plan to build a trading post in their vicinity. That the post would be of great service in enabling its occupants to control the western traffic was as well known to the Indians as to the Frenchmen, and in consequence, the former demanded a substantial payment before giving their consent to its erection. But a visit by La Salle and his aides to the head village of the tribe, situated then near the present site of Rochester, followed by the usual grave deliberations, resulted in a dubious consent. The building of the post was begun, and in a remarkably short space of time the important structure





llier,

*From the engraving by Edelack, in the Ursuline
Convent, Quebec.*

a few companions had returned to Cataraqui to give his personal attention to some important affairs there and to replenish his supplies. But by midsummer he had returned, and the voyage westward on the new *Griffon* was begun. As if angered by this intrusion on her virgin waters, Lake Erie tossed the little craft in ominous fashion, but the straits were safely reached, and the remainder of the trip to Mackinac was made under pleasant skies. Here was already established the most westerly Jesuit mission—the old post of Marquette—and around it clustered a small Huron village, the rendezvous of the *courreurs de bois* who operated on the country tributary to the upper lakes. At Mackinac, all, including the Jesuits, extended to La Salle a welcome profuse enough to cloak its insincerity. The arrival of the *Griffon* gave an impetus to trade in the little hamlet: neighboring Indians came in hundreds to gaze on the “floating fort,” and to barter their peltry for the commodities which the vessel had brought. In a short time she was heavily laden with furs, and preparations for the return trip were begun. La Salle would have accompanied the valuable cargo to Niagara, but he had still prominent in his mind the project of a post on the Illinois, and this he did not deem wise to intrust to his lieutenants. So he placed the *Griffon* in charge of a pilot, and remained with his men at Mackinac until the preparations for the trip to the Illinois could be completed. Toward the middle of September, with many misgivings, he watched the *Griffon* set sail, and a few days later, he with Hennepin and a dozen others, set off southward along the Wisconsin shore.

By the early days of November he had circled the southern shores of Lake Michigan and had reached the mouth of the St. Joseph. Here he expected to find De Tonti, who, with some followers, was to have come down from Sault Ste. Marie, whence he had proceeded from Mackinac. But De Tonti had not arrived, and La Salle was forced to wait. He devoted his time to the erection of a small post, to which he gave the name Fort Miami. After about three

weeks De Tonti appeared, and the journey was resumed. Proceeding up the St. Joseph, a portage was made across to the Kankakee, a tributary of the Illinois; descending this the voyageurs reached the Illinois and followed that stream to a point where Peoria now stands. This was the site of an Indian town, and La Salle determined to land here and endeavor to obtain, if possible, information regarding the nature of the country and the disposition of the natives further south. After the usual preliminary show of hostility, the savages gave the newcomers the usual feast and parley, in the course of which every attempt was made to persuade the Frenchmen that to proceed further was to invite certain destruction. The river was treacherous, it abounded with serpents; the southern tribes were ferocious; these and a dozen other dangers were presented to La Salle in vivid style, but taken by him at a proper discount. Not so by some of his followers, however. After the parley the French leader took his usual precaution of posting sentries, and during the night six of these took flight to the forest, intending to make their way homeward. Alarmed at the Indian recital of the dangers which lay before them, these

these. But while the work proceeded, the question of the non-arrival of the *Griffon* bore heavily on his mind, and La Salle decided to proceed eastward to learn the truth. So he left De Tonti in charge of his new post, Fort Crèvecoeur, where the vessel was being constructed and set off. Before his departure he instructed Hennepin to do what he could in the way of exploring the lower Illinois to its junction with the Mississippi.

It was the second day in March, when La Salle, with four Frenchmen and one Mohegan Indian, set forth on his long trip. La Salle's experience had not only taught him the hardships to be expected on such a trip, but how to endure them. The intrepid voyageur might have intrusted the errand to some of his subordinates, but so many of his supporters had played him false at various times that he was distrustful of all except De Tonti. Proceeding to Fort Miami, he struck across what is now southern Michigan, in the direction of Lake Erie. With nothing but his compass and a general idea of the geography of the lakes, his skill in forest travelling enabled him, after a trip of over three hundred miles, to emerge on the shores of Detroit River. Pushing across the neck of land to Lake Erie, a rough canoe was hastily constructed, and Easter Monday found the little party at Niagara. La Salle's companions were utterly exhausted and unable to proceed further, but not so their leader. He halted only long enough to get fresh companions, and then pushed on to Cataraqui and down the river to Montreal. From the Illinois to the Ottawa the trip had been accomplished in less than three months; a feat unsurpassed in the whole annals of American exploration. In the prime of life,—thirty-seven,—with a cast-iron frame and a wrought-iron will, La Salle had endured such hardships and exhibited such fortitude and endurance that he compelled admiration even from his most bitter enemies.

A stay of a week in Montreal proved that La Salle could, in spite of his heavy losses, command the confidence

and capital of his friends. On his way he had found no trace whatever of the *Griffon*; she had undoubtedly foundered on her trip down Lake Huron. But new supplies were obtained and the return journey to Cataraqui was begun without delay. La Salle had already been called upon to suffer more reverses than would have sufficed to crush out the enterprise of the ordinary explorer. Nature had dealt him a stunning blow when the turbulent lake engulfed his vessel; now man seemed to have taken a hand in the destruction of his plans. For on arrival at Cataraqui, La Salle learned from two newly arrived western traders that soon after his departure from Crèvecœur, the men whom he had left there with De Tonti had deserted almost to a man after having first wrought sad havoc with the supplies. In a few days a few more traders arrived, bringing the additional news that the deserters had made their way to Mackinac, where they had seized some furs belonging to La Salle. Picking up some recruits there, they reported, the recreants had descended to Niagara and plundered the post at that point. Here, according to the report, the band had divided, part going to Albany, where they would be

before two of their number were shot down. The remainder of the deserters were taken to Cataraqui and there put in irons until they could be sent down to Montreal for trial.

Having thus disposed of the thieves, La Salle's thoughts turned at once to his faithful De Tonti. Left in sore straits by the loss of the supplies which the fugitives took with them, his relief must be the first object of La Salle's further operations. It was for this reason that La Salle took a new route, landing on the north shore of Lake Ontario near where Toronto now stands, and striking across to Georgian Bay and coasting to Mackinac. Hurrying on down the lake, La Salle passed the demolished post at Miami and reached the site of Crèvecoeur. Here a scene of desolation met his eyes. Not alone was the post in ruins, but so was the neighboring Indian town. No longer able to wreak atrocities on the French settlements in the east so long as Frontenac directed affairs, the warriors of the Five Nations had sought and found fresh fields for devastation westward; the evidence of their success was undeniable. To La Salle fell the gruesome task of searching among the mutilated corpses for what might be the remains of De Tonti. But no such find resulted; the presence nearby of six posts whereon the savages had sketched the figures of men with their eyes bandaged seemed to import, however, that De Tonti and his remaining companions had been carried into captivity.

As it seemed not improbable that some of the Illinois Indians might have escaped the general massacre, it was decided to push on down the river to find these if possible. So, the Illinois was descended to its junction with the Mississippi. The shores were dotted with the half-burned remains of victims, but not a trace of a living being could be found. At the meeting of the rivers, La Salle blazed a tree, hung up a letter for De Tonti, and began to retrace his steps to Lake Michigan. Here he determined to restore Fort Miami and to spend the winter, having given up all hope of any speedy meeting with De Tonti and his

men. Much pleasanter would it have been for him to have known that his trusty lieutenant was all this time safe and sound with some friendly Indians at Green Bay. When the Iroquois had approached the Illinois country, De Tonti had offered his services as mediator. With characteristic disregard for his own safety, he had gone forth to meet the invaders, had warned them that the Illinois were the children of the French, and that to attack them would be to bring down the whole force of French power upon the Five Nations. But it required more cogent arguments than these to turn the warriors from their purpose; so, De Tonti and his men were ordered off eastward, while the Iroquois proceeded to the foray. The Frenchman was discreet enough to obey: had the Five Nations not learned in recent years the force of French punitive power, his attempt at mediation would have cost him his life. Even as it was, the risk was great, and the credit due De Tonti for this abortive but energetic attempt to ward off the fury of the Iroquois from his western friends is by no means insignificant. Accepting the situation, the Frenchmen had continued to the lake, whence, by following the shore, they reached and found shelter with some friendly Potowatamies. Meanwhile

1681 he returned to Montreal, and soon afterward sailed for France. Shortly after his arrival in Paris, he published his *Description de la Louisiane Nouvellement découverte* (1683). This was an account of his stay among the Sioux, and, while it was somewhat highly colored by the emphasis which he was always prone to lay upon his own courage, endurance, and sagacity, it seems to have been a tolerably accurate account of his experiences. At any rate, the account can be easily made to harmonize with the geography of the region. But some fourteen years later, in 1697, he issued a second edition of his work, in the course of which he made quite new and extravagant claims. In this *Nouvelle Découverte d'un très grand Pays situé dans l'Amérique* (Utrecht, 1697), he claimed that, before his meeting with the Sioux, he had descended the Mississippi to the Gulf, making the trip without opposition or untoward incident, and returned to the mouth of the Illinois,—all this within the remarkably short space of a little more than thirty days. As Shea, Parkman, and Jared Sparks have abundantly shown, this extravagant claim is based upon a tissue of impudent falsehoods. Hennepin apparently knew better than to advance any such claim during La Salle's lifetime, knowing full well that his patent untruths would be promptly pilloried. The whole account is so glaringly false that Kingsford has not hesitated to brand the missionary—who wore the frock of the Order of St. Francis—as “one of the greatest liars to be met with in history.”

During the winter of 1680-1681, La Salle remained at his post at the mouth of the St. Joseph, returning in the spring to Cataraqui. As he passed Mackinac he was gratified to find De Tonti, who had just made his way thither. Reverse after reverse had in no wise chilled the ardor of both, and by midsummer they were again in Montreal organizing a fresh expedition westward. Autumn found them once again on the way to the Illinois. This time La Salle abandoned the idea of building a vessel, and determined to use canoes wherever it was possible to navigate. Crèvecoeur

was reached without incident, and the party, numbering nearly fifty, moved on down the Illinois. It was February, 1682, when they reached the Mississippi, where, after a few days spent waiting for stragglers, the descent of the Father of Waters was begun. As they proceeded south the weather grew warmer and the voyageurs grew enthusiastic over the profuseness of the vegetation along the banks. The Indians seemed friendly, and at the mouth of the Arkansas La Salle thought it safe to land among them and to formally take possession of the country in the name of his sovereign. The savages, ignorant of the import of the ceremony, gazed on in admiration as with cheers and huzzas the *fleur-de-lis* of the Bourbons was unfurled to the zephyrs of the south.

In due course the party reached the spot where, parting into its three channels, the great river loses itself in the sea. Again the ceremony of possession was performed. Chanting the *Vexilla regis* and with shouts of *vive le roi*, the party bestowed on the new country the name Louisiana, in honor of the most Christian king. The pioneers of France in the New World had established her *prima facie* claim to a new American empire. For the present this was enough.

The members of the party turned their canoes homeward and

name of Fort St. Louis, as having been directly opposite the present village of Utica, Illinois. It was completed and ready for occupancy in the spring of 1683.

During all his varied experiences of the past half-dozen years, La Salle had enjoyed the warmest support of Governor Frontenac. Frontenac's successor was Le Febvre de la Barre, who, with the new intendant, De Meules, reached Quebec in August, 1682. La Barre was an old naval officer who had proved himself as capable in that capacity as he was afterward to prove himself manifestly unfit for the duties of a colonial administrator. He possessed none of the pride and arbitrary passions of his predecessor in office, but he lacked that personal energy which not even Frontenac's most pronounced enemies denied to be his chief attribute. Weak in decision, avaricious and as unscrupulous as he dared to be, La Barre can lay valid claim to a high place among the list of incapables who too often held in their hands the interests of France in the western hemisphere. La Barre landed under ominous auspices. A few days before his arrival a disastrous fire had converted the thriving town of Quebec into a few acres of charred ruins. Still the jubilant Jesuits allowed this in no way to mar the warmth of their welcome. The recall of Frontenac had been the joint and several work of two factions; the Jesuits, whose hatred of him knew no bounds, and a clique of Quebec and Montreal traders who bitterly opposed the governor's schemes of western exploitation as likely to divert trade from the St. Lawrence route. Both these factions made haste to gain the ears of the new officials and with apparent success. The quondam enemies of Frontenac basked in the sunshine of vice-regal favor; his friends, among whom La Salle was perhaps the most prominent, were consigned, for the time being at any rate, to the cold shades of official disfavor. La Salle's post at Cataraqui,—now called Fort Frontenac—had long been a thorn in the flesh of these new favorites and they hastened to convince La Barre that so important a post should no longer

be left in private hands. In consequence, the governor was prevailed upon to declare that since La Salle had not fulfilled the conditions upon which the post had been granted to him, the concession was now void. Two officers from Montreal were sent to the fort with orders to seize it and all that it contained.

When La Salle, at Mackinac, first learned of La Barre's arrival he had no reason to think that the change of governors would so completely thwart his plans. So he had written frankly to La Barre, unfolding his plans and asking for support and assistance in their consummation. But his letter remained unanswered, and the news of the seizure was his first intimation that he must now count upon official opposition rather than support. There was nothing to do but to return to France, there to lay the whole matter before the authorities in the confidence that his past services, as well as the inherent value of his plans would secure him justice. On his way down to Quebec he met another official en route for the Illinois with La Barre's orders to seize the post there as well.

On his arrival in France the intrepid explorer was enthu-

to ascend the Mississippi and to reach Canada, where they concealed their crime until a confession was extorted.

The departure of Frontenac had been followed quickly by a recrudescence of Iroquois activity. Successful in their western raids, the confederacy resumed its hostilities toward the allies of the French in the east. The Senecas, whose territory fronted Fort Frontenac, showed themselves particularly aggressive, and La Barre decided that they would have to be soundly chastised. Their growing audacity showed itself in the open plundering of the French trading canoes which La Barre had been sending up to the western country with supplies. For this the governor was himself partly to blame, for his friends had given the Senecas to understand that they were at liberty to plunder craft belonging to La Salle, and the savages had not thought it worth while to make careful distinctions. As all Frenchmen were about alike to them, they plundered without discrimination. La Barre's preparations proceeded with an ostentatious display which gladdened his own blustering friends, while letters were despatched to the king asking approbation of the project. The sovereign commended warmly the policy of teaching the Iroquois to respect the French arm, and sent along a few hundred soldiers to help the cause, asking that as many prisoners as possible might be sent home to France to man the royal galleys. But La Barre was not a man whose actions fitted his words. Even those about him were not long in learning to distrust his sincerity and to doubt his ability, for they had grown used to men who carried out their plans without such preliminary ostentation. De Meules, the new intendant, although working in harmony with La Barre, distrusted the latter's sincerity of purpose, and wrote to the minister that there would be no war if La Barre could avoid it. "The new governor," he wrote, "will go as far as Fort Frontenac, patch up some sort of peace, and make fools of all concerned."

It did not take long to show that De Meules was right. With much bombastic show the governor rendezvoused his

force at Fort Frontenac, but when the time came for a move across the lake he began to question whether he had not better make a final effort to secure peace. So he arranged that a conference should be held with the Senecas, and for this purpose crossed the lake with a small force. The low, marshy site of Fort Frontenac, in the meantime, spread malaria among his forces there. Had La Barre been a man of experience in Indian dealings he would have known that his concession in going to the Indian territories to conduct the negotiations would unquestionably be regarded as a sign of weakness. The conference was held on the south shore at a place called La Famine, for the supplies of the French ran out, and during the course of the negotiations the embassy had to live on scant rations. The Senecas plainly told La Barre that he could have war or peace as he chose; that the Iroquois neither wished nor feared war. But they would neither make reparation for their past acts in pil-laging French canoes nor promise to refrain in future from making war on the Indian allies of the French. As was expected, La Barre accepted the alternative of peace, though with much show of reluctance. Assurances were given by

peace. The disgust of the whole party at this unexpected turn in affairs can be better imagined than described. Throughout the colony the news of the peace was received with indignation. De Meules, who had predicted just such an outcome, now promptly reported the whole matter to the king in plain terms. Alone among the colonial population the Jesuits tried to stem the tide of popular disgust by lauding the governor's action in staving off a costly war. But the king saw the matter in its true light, and the immediate recall of La Barre was forthwith decided upon.

To the vacant post Louis named the Marquis de Denonville, with full power to resume the war or to respect the peace as he might deem most expedient on his arrival in the colony. De Denonville set out for Quebec in 1685, and it so happened that the vessel on which he sailed numbered among its passengers M. de Saint-Vallier, the successor-elect of Bishop Laval. This latter doughty champion of ecclesiastical interests was now giving up his post after a stormy tenure of a score of years. True to the policy of his order, Saint-Vallier spared no pains during the voyage to win the favor of the new governor, and apparently with much success. De Denonville, on his part, bore himself during the trip with pious mien, attending the bishop's services with the regularity of a zealot, and winning from the prelate the rather modest testimony that "in all the voyage, I never saw him do anything wrong."

De Denonville's position was no sinecure. French military and political interests had suffered most severely since the departure of Frontenac, and their rehabilitation was the most urgent need of the hour. The new governor was an honest, well-meaning soul, neither incapable nor indolent. He might have served his sovereign well enough in many less responsible walks of life, but he was not a man with ability to cope with crises of any sort. In his first despatches he took occasion to give a general summary of colonial conditions, pointing out—what must by this time have been abundantly known at Versailles—the dangers to which the

colony was exposed. "Nothing but a miracle," he declared, "can save it." That dangers were increasing was true, especially as the English were now urging the Iroquois to oppose French aggression. As prominent in the matter as he dared to be was Thomas Dongan, of New York, who, although himself an Irish Roman Catholic, opposed the projects of Romanist New France with unexpected vigor. One of De Denonville's first official acts was to open up a correspondence with the blunt Irishman, assuring him of his desire to be on amicable terms with the English authorities, and asking for coöperation in discouraging Indian raids upon colonial settlements. To the correspondence the New York governor replied with studied courtesy, yet with firmness, that the Iroquois were masters of their own affairs, and that he would neither abet nor discourage them in their designs against the French. To De Denonville's complaint that the English were furnishing liquor to the Indians, and that thereby the lives of missionaries and traders were endangered, Dongan answered ironically that "English rum doth as little hurt as French brandy, and in the opinion of Christians is much more wholesome." And so the diplomatic duel went on, while Dongan redoubled his intrigues for the

It was not long before these preparations culminated in the despatch of a large force to Fort Frontenac. Once again the *coureurs de bois* and their savage allies were summoned from the west, and again responded, among their number being seasoned veterans of the wilderness like La Forêt, De Tonti, Durantaye, Du Lhut, and Perrot, every one of them worth a whole company of regular troops when it came to fighting the Iroquois in their own homes. Across the lake from Fort Frontenac a general rendezvous was had, and here, by the middle of July, 1687, De Denonville found himself in command of a somewhat heterogeneous array of nearly three thousand men, white and red. The new governor had none of his predecessor's bluster; his preparations had been carried out in a way not at all unworthy of a Frontenac. Unlike the Great Ononthio, however, he was prone to deception and bad faith in all his dealings with the savages, although he was not by nature dishonest. While at Fort Frontenac, he had seized and detained as many of the neighboring Indians as he could collect, under pretence of a feast, this measure being designed to prevent news of his approach from being communicated to the Senecas. As such it failed utterly through the escape of one of the prisoners. In accordance with their usual tactics, the Senecas despatched their women and children to places of safety, stored their supplies in *caches*, burned their chief town, and prepared to stand or retire as occasion demanded. From his rendezvous on the lake, De Denonville began his march, De Tonti, Du Lhut, and Durantaye, with their bands of seasoned rangers, leading the way. The distance to the Seneca villages, some twenty-two miles, was covered without incident, but upon arrival the French found no trace of occupants. This, however, was only an Iroquois trick, for hard by in ambush lay several hundred warriors. A fierce fire greeted the vanguard of the French and momentarily threw it into confusion. But the main body soon arrived on the scene, and the savages made off. The Senecas had burned their chief villages, but the French applied the torch

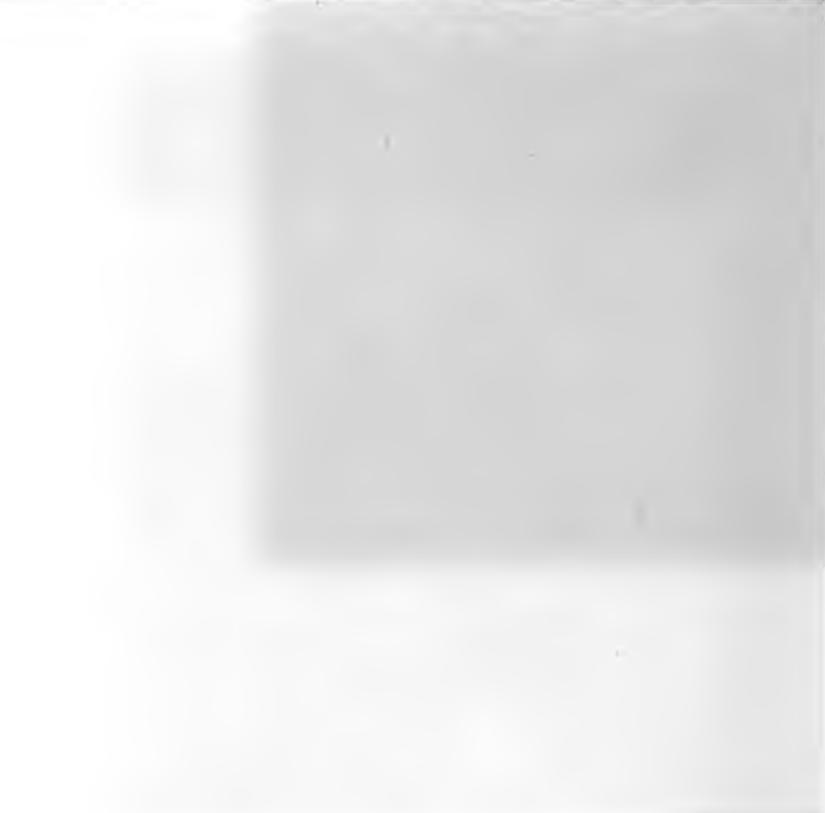
to several small villages still standing. The *caches* of grain were hunted out and destroyed, while swordsmen were sent through the fields of green corn to hack it down. After more than a week had been spent in thoroughly completing the work of destruction, De Denonville and his men returned to Fort Frontenac. Leaving part of his force there, the governor went westward with the remainder, and at Niagara erected a substantial fort out of La Salle's old post. The *coureurs de bois* continued on their way to Mackinac; the governor placed the new fort in charge of a garrison, and descended the lake and river to Montreal.

The expedition had been by no means a complete failure, for the Senecas had been taught the length and strength of the French arm. Neither had it been a complete success, for, as it later turned out, De Denonville had stirred up the nest without destroying the wasps. For not more than a couple of months had elapsed before the Senecas and their confederates were wreaking vengeance in the very environs of Montreal itself.

During the course of his operations, moreover, De Denonville had captured some Albany traders who were traf-



Robert Cavelier, Sieur de La Salle. *From an engraving after the
Gravier portrait.*



attack on the environs of Montreal. Under cover of a violent hailstorm the settlement at La Chine, about six miles from Montreal, was assaulted and burned, practically all the inhabitants to the number of about three hundred being either tomahawked on the spot or carried off captive. Many of these latter were put to death with the customary savage barbarities almost within sight of Montreal itself. The details as reported by Frontenac after his return to the colony are perhaps the most revolting in the whole wretched annals of Indian atrocities. There was a considerable garrison at Montreal, but those in command were so terror-stricken that no attempt at rescue was undertaken. For nearly two months the Iroquois roamed at will through the surrounding country, and with the approach of winter retired to their homes with their surviving captives. Why De Denonville did not dispatch a force from Quebec to make the Montreal garrison effective for offensive operations no one can now explain. The fortunes of the colony had apparently sunk lower than ever before. Since the departure of Frontenac in 1682, matters had been going steadily from bad to worse, and even before the catastrophe at La Chine the French government had decided on a change. De Denonville was now recalled and Frontenac once more entrusted with the administration of affairs in New France. The sturdy old veteran, now past the Psalmist's span of three score and ten, was the one man in the service of France who could be depended on to restore the prestige of French power in America. His restoration at this critical moment is the one bright spot in the history of a decade throughout which blunder, incompetency, deceit, and cowardice darken almost every page. "I send you back to Canada," wrote the king, "where I am sure that you will serve me as well as you did before; and I ask nothing more of you."

Various French writers have unstintingly blamed the English authorities at Albany for having abetted the Iroquois in their operations. The fiery Dongan had given

place to the stubborn Andros, but the change had in no way weakened the firm attitude of official New York in the matter of French and Indian relations. But as Parkman and Kingsford have abundantly shown, this blame is more or less gratuitous. Recent events had given the Five Nations provocation for wreaking vengeance on the French, and there was no necessity for any outside instigation. To be sure, the authorities of New York did not move a finger to restrain the savage fury, but it was no duty of theirs to undertake the thankless task of plucking French chestnuts out of the fire.

The year of Frontenac's return, 1689, saw a change of dynasty in England. James II. had been ousted, and William of Orange, the avowed enemy of all things French, was on his throne. Always a willing henchman of the great Bourbon, the last of the Stuarts had arrayed against himself all the enemies of France both at home and abroad; his deposition at this juncture boded no good for the continuance of amity between New England and New France. For it was well known that Louis XIV. would not long allow his *denosed protégé* to remain in exile if military assistance

up of regulars, militiamen, and Indians, and these were to strike terror into a trio of English settlements.

The party from Montreal, commanded by Sainte-Hélène, ascended the Richelieu, moved along Lakes Champlain and George and struck across to the hamlet of Schenectady, which was at this time, 1690, the uttermost outpost of the New York colony. The unguarded settlement was surprised and burned; its peaceful inhabitants, almost without exception, being mercilessly butchered or carried off into captivity. The party from Three Rivers, with Hertel de Rouville at its head, set off toward the settlement at Salmon Falls on the Piscataqua, and there wrought like havoc. While en route home with his handful of captives, Hertel met, joined forces with the third band from Quebec, and the two parties proceeded toward the post of Casco Bay on the Maine coast. The garrison was enticed from the fort, ambushed, and most of its members slain or captured. From Frontenac's standpoint all three raids had been highly successful. They had been intended mainly to reestablish French prestige among the Indians, and this they succeeded in doing, for the savage made little distinction in point of achievement, between the courageous storming of a fortified stronghold and the merciless butchery of a defenceless hamlet. If anything, the latter achievement ranked the higher in the Indian mind, and this Frontenac knew well.

Similarly, the French governor, immediately after his arrival, had taken measures to restore French prestige with the western Indians by the reestablishment of trading intercourse with them. For some years the route between Montreal and Mackinac had been rendered impassable by the Iroquois; it seemed imperative that it should now be again held open. So a large expedition of canoes, laden with supplies and guarded by a force of nearly two hundred picked men, was sent westward and made the trip to Mackinac safely. Here the goods were successfully bartered for peltry, and the return voyage began. Accompanying the descending convoy were many hundred canoes,

manned by their Indian owners, who, as the supply of goods sent west had not been sufficient, were now coming to Montreal to dispose of their stocks of furs. It was autumn when the huge flotilla of canoes appeared above the rapids of La Chine, and was enthusiastically welcomed by the people of Montreal. And there was reason for enthusiasm, for upon the supply of peltry the whole prosperity of the colony depended, and not for years had such an enormous supply been to hand.

By these two strokes Frontenac had re-established French power among the Indians of both east and west, but his border raids seemed likely to cost him dearly. For it brought upon the horizon a new and greater danger. The three raids of the preceding winter had thoroughly awakened the English colonies to the necessity of taking decisive steps against New France, and Massachusetts in particular was clamoring for nothing less than its complete conquest. With considerable sacrifice on the part of the Pilgrim colony a small expedition was despatched against some of the smaller outposts in Acadia, and the capture of these accomplished with little difficulty. *The success of this modest venture*

Acadia, which had long been a haven for French privateers preying upon English commerce with the colonies. Defended by less than a score and a half of men the post was easily taken by Sir William Phipps, to whom the command of the expedition had been intrusted, and the garrison was brought in triumph to Boston.

The land force, meanwhile, had been mobilizing at Albany, and under Winthrop, of Connecticut, set off during the summer toward Montreal. But it had not gone far before dissensions broke out among its leaders. Winthrop was not in possession of the confidence of his men; supplies were deficient, and the Indian allies proved troublesome to control. A combination of difficulties forced Winthrop to fall back to Albany, leaving it to Phipps and his force to effect the conquest unaided. Phipps, however, had waited in vain at Boston for expected assistance from England, and it was well on in August before he could decide to proceed on to Quebec. His voyage was a slow one, and the first week in October was at hand before his vessels anchored in the river below the fortress. Frontenac, on the news of Winthrop's advance by way of Lake Champlain, had hurried to Montreal to superintend the defence of that place, but the retirement of the colonials there had allowed his return to Quebec. There he pushed on the preparations for defence with characteristic vigor, and on the approach of Phipps had nearly three thousand men behind his ramparts. On the morrow of his arrival, Phipps despatched a messenger with a demand for a surrender, and requiring a definite answer within an hour. "Tell him I will answer him out of the cannon's mouth," was the blunt reply with which the envoy was dismissed.

The lateness of the season precluded a siege, so that Phipps found an assault his only course. Therefore, the troops were landed from the ships and the assault from the eastern side of the town begun. It was arranged that a land assault and bombardment should take place contemporaneously, but this plan miscarried, and the troops delayed

action until after the fleet had been repulsed by the superior gunnery of the French. For this lack of coöperation, Major Whalley, who commanded the shore forces, has been made to bear the blame. After a day or two had been spent in desultory skirmishing, Phipps called a council of war. The severe damage sustained by the ships, the near approach of winter, the threatened shortage of supplies and munitions, all moved the council to advise an immediate retirement to Boston. The forces were consequently reembarked, and, after some days spent in refitting the ships, the whole expedition headed homeward. The jubilant Frenchmen chanted their *Te Deums*, and erected in commemoration of their successful defence the Church of Notre Dame de Victoire. On its way home, the expedition encountered boisterous weather which scattered the ships and wrecked some of them.

The English expedition had been repulsed, but New France was not wholly freed from her difficulties and dangers. Supplies ran very low, for the whole male population had been summoned to the work of defence. The presence of Phipps in the St. Lawrence had shut off supplies from France, and the few vessels which had managed to

detached bodies of unarmed harvesters. Even with the stern old Frontenac at the helm the Iroquois seemed to be making good their boast that they would leave the French no rest save in their graves. In the end Frontenac was goaded to adopt a plan of severe chastisement. He would fain have directed his punitive arm against the powerful Mohawks, but in view of his rather limited military resources, had to choose a weaker spot in the confederacy. This was the country of the Oneidas and Onondagas, a location easy of access from Fort Cataraqui. If the punitive expedition was to be successful the rebuilding of this post could be no longer delayed. That objections would be raised by the home authorities was very probable, for despatches to the governor had consistently emphasized the policy of concentrating the resources of the colony rather than of diffusing them over a wide range of territory, the mere defence of which would entail heavy expense. Moreover, a powerful clique of Montreal merchants now as ever opposed the establishment of any post which might lead to the diversion of any part of the fur trade from Montreal. Frontenac, however, resolved to anticipate and forestall any interference from either quarter by quick action. So toward the close of July, 1695, he sent De Chirisay with a strong force to effect the work of reconstruction. Never was a mission more faithfully and successfully carried out. The project had been planned with secrecy, and the Iroquois were not at the spot to offer opposition. De Chirisay was able to utilize much of the old fort, and in the short space of eight days had completed the work of reconstruction and was on his way back to Montreal, having left in the fort a considerable garrison. When the Iroquois learned of this move their rage knew no bounds, and their chiefs vigorously besought English assistance in an assault on the fort. But Governor Fletcher, of New York, would do nothing, and the Indians did not care to attack any fortified post unaided.

This preliminary step having been taken, Frontenac moved up to Fort Cataraqui with a force of over two

thousand men, more than half of whom were militiamen from the seigniories along the St. Lawrence and Richelieu. The trip occupied about fifteen days, and, after a short halt at the fort, the force crossed the lake and entered the mouth of Oswego River. This was ascended with difficulty and on August 2, 1696, the shores of Lake Onondaga were reached, and here a temporary base was erected. Without delay the land march to the Onondaga towns was commenced, Frontenac, carried in an armchair, accompanying the forces. But before the Indian villages had been reached the bright glow in the western skies and the curling columns of smoke showed that the savages had pursued their ancient tactics. The Onondagas had burned their town and had retreated southward. Strong parties were despatched to destroy the neighboring villages of the Oneidas, and every attempt was made to bring the fugitive Onondagas to bay, but without success. The expedition returned home with its purpose but half accomplished. Frontenac, however, reported the exploit to the king in glowing terms. Never renowned for immoderate modesty, the old veteran's vanity

With a small naval force the English post at Pemaquid was attacked and destroyed, the English settlements on the shores of Newfoundland were laid waste, and, finally, the two brothers proceeded to Fort Nelson on Hudson Bay and forced the garrison there to capitulate. In 1697, the Peace of Ryswick closed the war between France and England, and each nation restored its conquests in America.

Amidst all this strain and stress of military pressure, Quebec retained its air of gayety. Their successful repulse of Phipps filled the townsmen with a truculent self-satisfaction which did not subside for years. Frontenac himself, though now well up in the seventies, lent his countenance and presence to the various festivities whenever he happened to be at the Château de Saint-Louis. But all was not harmony. The Jesuit enmity, so virulent during his first administration, still smouldered on. Saint-Vallier, although not nearly so aggressive as Laval, made no secret of his antipathy to the governor and his policy, and in the intendant, Champigny, he found an ever ready supporter. The bishop bombarded the home authorities with protests against the liquor trade at the western posts, while Champigny launched forth his vigorous tirades against gubernatorial extravagance and general mismanagement. But as the minister, Pontchartrain, was a relative of Frontenac, this double assault had little effect. During the year 1693 the rupture became especially noticeable, for about this time the performance of a couple of amateur plays at the château enraged the ecclesiastics. The rumor that Molière's *Tartuffe*, a satire on the clergy, was to be included in the amateurs' repertoire so stirred the bishop that a marine lieutenant named Mareuil, who was said to be rehearsing the chief part, was promptly excommunicated. Mareuil made appeal to the civil authorities, and Quebec at once became divided into two hostile camps. After a series of the usual tempestuous meetings and interviews, of charges and counter charges, of accusations and recriminations, the whole affair was submitted in ponderous *procès verbaux* to the king. As was

customary, all concerned were admonished with varying degrees of severity.

The demands of his position and his love of gayety rendered it increasingly difficult for Frontenac to live on his meagre income, and on several occasions he begged the minister to keep him in mind whenever a more lucrative post at home should become vacant. This the minister readily promised, while the king, out of his own purse substantially supplemented the governor's yearly allowance on at least two occasions. Previous governors had profited by their illicit part in the fur traffic, but Frontenac, ever true to his friends, gave all the places of gain in this regard to men like La Forêt, De Tonti, Lamotte-Cadillac, who reaped all the rewards for themselves. The ministerial promise of promotion was still unfulfilled, when, in the autumn of 1698, the governor was stricken down with his last illness. On November 28th, the greatest of the Ononthios passed peacefully away. The enemy of the Jesuits to his death, his will desired that his bones be laid to rest not in their cathedral but in the little church of the Récollets.

"Devoted to the service of the king," says his eulogist,

the profit of the English colonies, and the conclusion of hostilities now checked the rapid advance of the English to a position of domination over the Five Nations.

Callières was not slow to recognize—as had Frontenac and La Salle before him—that the key to the whole situation, as far as the fur traffic was concerned, lay in the control of the Great Lakes. This being the case, Fort Frontenac, Niagara, and Mackinac had to be held at all hazards, and Callières resolved in addition to establish a new post at what is now Detroit. The Iroquois raised their usual objections, and the Montreal traders grumbled and bestirred themselves to opposition. But Callières persisted, and the summer of 1701 saw Lamotte-Cadillac and his followers firmly established on the straits. Cadillac had long wished for the opportunity, but had never been able, up to this time, to overcome the difficulties in his way.

As most people had anticipated, the period of peace following Ryswick was not of long duration, for in 1701 the exiled James died, and Louis XIV. forthwith roused the ire of Englishmen by recognizing as lawful sovereign of England a son of the deceased Stuart. This recognition came at an unfortunate moment, for the question of the Spanish succession had already brought France and England to the verge of hostilities. When the news of war reached New France, Callières's first care was for his Indian alliances and for the strengthening of the Quebec defences. For the Iroquois had now become an important factor in intercolonial conflict, and since the repulse of Phipps the fear that another assault on Quebec might result differently had never passed out of the colonial mind. It was while vigorously attending to these matters that Callières was taken down with a severe illness, due to overwork, and died in the course of May, 1703. Although he had taken office only *ad interim*, the zeal which he had shown from the outset had moved the king to continue him in charge. Callières had many of the great qualities of his predecessor in office, and while Charlevoix's eulogy that he was “the most capable

general that the colony ever possessed and the man from whom it had received the most valuable services" is doubtless not fully merited, still there is little question that, had he been spared, his administration would have accomplished much for New France.

Callières was succeeded in office by the Marquis de Vaudreuil, who had already served some years as commandant at Montreal. Vaudreuil had married a Canadian, and the king hesitated to ratify the promotion on account of the colonial connections which he had thus formed. But Pontchartrain overcame the royal scruples on this point. Vaudreuil took the helm, with plenty of storm clouds on the horizon, and laid his course accordingly. The Iroquois alliance was strengthened, while the Abnakis were spurred on by the Jesuits to scourge the Maine settlements from Kittery to Casco. Vaudreuil had made up his mind that the winter of 1703-1704 should be utilized for a raid into the heart of New England. The governor would very gladly have directed his energies against Albany, but he feared, with reason, that the Iroquois might resent the movement of French troops through their territories. Toward

by the Rev. John Williams, the village pastor, in his *Redeemed Captive*. Little wonder was it that the yeomen of New England looked upon Hertel de Rouville and his followers as the incarnation of fiendishness and hated both him and his countrymen with an undying bitterness. That the soldiery of the most Christian king should find glory in the indiscriminate massacre of defenceless women and children shows the destructive influence of partisan warfare on military ethics.

For the moment, Massachusetts could do little but nurse its wrath. Governor Dudley asked that he be allowed to ransom the captives. During the spring and summer of 1704 a series of communications passed between Dudley and Vaudreuil on the matter, and, as a result, Captain Samuel Vetch was sent to Quebec to arrange terms of ransom.

Kingsford erroneously states this correspondence as having been carried on by Dudley and Callières (*History of Canada*, ii, 424), although he had previously noted (ii, 409) that Callières died two years previously. In the course of the correspondence, Dudley complained bitterly of the French policy of offering the Indians a bounty on every English scalp (*Quebec Documents*, ii, 426). The editor of these *Documents* adds: *L'Écrivain oblie ici, que les Anglois payaient pour les chevelures pour les prisonniers de guerre des sommes trois fois plus fortes que ne payaient les Français*—a retort which is as misleading as it is ungrammatical. The New England legislatures offered bounties for the scalps of Indians, but never for those of Europeans.

In the end some sixty or more captives, most of them Deerfield survivors, were sent back from Canada. As for the rest the parish registers of the little hamlet can only record that they were “carried captive into Canada from whence they never returned.”

Vetch was empowered to negotiate with Vaudreuil a treaty by which the respective colonies would agree to maintain an attitude of neutrality during the continuance of the war in Europe. But the French suspected that the

English proposal was merely a ruse to gain time, and refused to agree, although Vetch continued his negotiations at Quebec for nearly three months. The raids, therefore, continued and no part of the frontier was safe. In 1708, a party commanded by Hertel de Rouville and St. Ours des Chaillons moved once again toward Massachusetts. This time their objective was Haverhill, on the Merrimac. Under cover of darkness, on a sultry, August night, all the horrors of Deerfield were repeated. Well might honest old Peter Schuyler lament that "a war between Christian princes had degenerated into a savage and boundless butchery." The Deerfield raid had raised in New England a bitter thirst for revenge and an expedition from Boston under Major Benjamin Church had sought reprisal in the destruction of the French settlement at Grand Pré in Acadia; an attempt against Port Royal had followed but miscarried. The Haverhill raid now goaded the colony to more drastic measures. Thus did the French policy of *petite guerre* prove a boomerang. The English colonies sincerely desired peace; they had neither heart nor facilities for border forays and they would combine for substantial offensive operations only under the severest pressure. This the French had now been unwise enough to apply.

In the new scheme for wreaking revenge on the very capital of New France Vetch was the prime mover. During his long stay at Quebec he had kept his eyes open and knew well enough the meagreness of the military resources of the colony. The Massachusetts authorities lent a willing ear to his representations of French weakness, and, in 1709, he received authority to proceed to England with a view to enlisting the support of the home authorities in his project. Energetic, sanguine, and ambitious, Vetch proved himself the man for the mission and the British ministers readily granted him their support. Vessels and men were promised at once and the colonies were requested to muster their forces. These were to rendezvous at Albany and march overland toward Montreal, while such vessels as the colonial

governments could get together were to be concentrated at Boston in readiness for the British flotilla when it should appear. Together, the fleets would then sail for Quebec. The land force at Albany was placed under the command of Colonel Nicholson, and in due course was able to proceed and take up its camp on Wood Creek, between the Hudson and Lake George, where it awaited news that the naval expedition was ready to coöperate. But the summer wore on, and the flotilla which was to have been despatched from England early in the spring did not appear. It was early in October before word arrived that, owing to European entanglements, the British government had not been able to keep its promise, and that the fleet could not be spared till the following spring. Meanwhile, the land force at Wood Creek, impatient and wasted by dysentery, fell back on Albany in disgust and disbanded. The colonies were greatly chagrined, but not discouraged. Assistance had been delayed, but since it had been promised for the following year the authorities determined to keep the project well in mind. For a new attempt, however, not a soldier was to be mustered or an ounce of supplies secured until the English vessels arrived. Toward midsummer, 1710, six men-of-war, with an imposing array of transports, sailed into Boston harbor. At once all was bustle in the colony; men were hastily mustered, supplies were hurriedly collected, and the expedition headed for Port Royal in September. Here, with a half-starved garrison of two hundred men, Subercase, the French commandant, was forced to capitulate without a shot in defence of his post.

The season was now too far advanced for any operations against Quebec, so the fleet returned to Boston and thence home to England, arrangements having first been made for its return in the following summer to complete the work. It was at this point that the home authorities began to show a new and, to the colonies, an unaccountable eagerness for the prosecution of the project. Perhaps the reason for this sudden discarding of its customary lethargy may be found

in the attitude of the administration toward the course of the war in Europe. These were the years of Marlborough's prowess on the continent; the years of Blenheim, Ramilie, Oudenarde, and Malplaquet. The Tory ministers of Queen Anne could not but view with serious misgivings these triumphs of the great Whig general, for the unbounded popularity which they gained for him in England would undoubtedly make him a factor in politics on his return from his campaign. At any rate, a scheme which would even indirectly serve to lessen Marlborough's prestige would be warmly welcomed in official circles. Hence it was that the Massachusetts plan to conquer New France found sudden favor with the government. Operations in America might take the eyes of Englishmen off the continent. Not alone this, but they would form a very reasonable excuse for drawing off a portion of Marlborough's force and thus weakening him. Countenance is lent to this hypothesis by the fact that the officers selected for the expedition against Quebec included General Hill, brother of Mrs. Masham, the queen's favorite and the bitter enemy of Marlborough, and Sir Hovenden Walker, one of her firm





misunderstood by one another. According to some accounts, the French pilot was treacherous; according to others, Walker was criminally negligent and incompetent. At any rate, a part of the fleet went on the rocks near the Egg Islands. Eight or ten vessels, all of them transports, were wrecked on the shoals, and some eight hundred lives were lost. Charlevoix and those writers who follow him place the loss well up into the thousands, but the official records do not bear out these estimates. The check was a serious one no doubt, but not necessarily fatal to the expedition. None of the men-of-war had been injured, and over nine-tenths of the original force had escaped. But Hill and Walker magnified the disaster and proceeded to call a council of war. Despite violent opposition from the colonial officers accompanying the expedition they decided to abandon further progress and return to Boston. By the end of September the colonial forces had been landed there and the fleet sailed for home.

The whole affair stands as a disgraceful testimony to the incapacity, if not the gross cowardice, of those in charge. Nicholson, in the meantime, had been making good progress when the news of the naval fiasco reached him, leaving him no alternative but retirement.

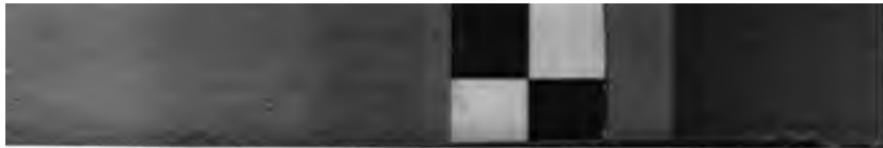
The activity of the British had thoroughly alarmed New France. A force had been concentrated on the Richelieu to oppose Nicholson, but the French had little hope that it could do more than retard his advance. All the remaining forces of the colony were concentrated at Quebec, where the work of strengthening the fortifications was pushed on day and night. The collapse of the expedition was a great relief to the authorities, and the devout manifested their gratitude in religious exercises. But the deliverance from the British in the east was followed by the threat of danger from the west. The Outagamis, or Foxes, who occupied the western shores of Lake Michigan, and thus controlled the long portages between that lake and the Mississippi, now showed signs of restlessness. Owing to their contact

with the Iroquois they had learned that barter could be carried on more advantageously with the British at Albany than with the French at Montreal, but so long as the new French post at Detroit remained in existence, the French were likely to retain their control of the trade. The Foxes therefore undertook to destroy the post, which at this time was garrisoned by only a handful of traders under Du Buisson. But the latter learned of the plan, rallied the friendly Ottawas to their assistance, and took the offensive against the Foxes, forcing them to his terms. These were hard enough, for the tribe was broken up, and those Indians who had escaped the ferocity of Du Buisson's savage allies were handed over to the latter as slaves. But the security of the post was assured, and with it the control of the western trade route, while the lesson impressed upon the Indians of the west in general was not soon forgotten.

In Europe the War of the Spanish Succession had dragged out its course. Defeated on the Danube, the Po, and the Tagus, Louis Quatorze was now sincere in his suit for peace, and a change of ministry in Great Britain enabled him to sue with success. And despite his signal defeats, his sacri-

ample support. On the whole, Great Britain gained little real advantage as a result of the treaty provisions. The Hudson Bay territories were not of immediate value; Newfoundland and Acadia could be held with difficulty if the French should choose to establish and maintain a strong fortress on Cape Breton as was their right. The Treaty of Utrecht, although it formed a *modus vivendi* for thirty years, gave no lack of opportunities for disagreements.

With the conclusion of the war, the long reign of the Grand Monarch of France drew to its close. Sowing in the wind he had reaped the whirlwind. An exhausted kingdom, an empty treasury, a populace impoverished, and politically hopeless; the seeds of a future revolution scattered broadcast throughout the realm: these were the garnerings of a wasted life, a profligate reign. Outliving two generations, Louis XIV. left a sadly weakened regality to his great-grandson, a child of five, and the Duc d'Orléans assumed control as regent of the kingdom.



CHAPTER VI

AGRICULTURE, INDUSTRY, AND COMMERCE

If there is any one word which may serve to give the keynote of French agricultural, industrial, and commercial policy in the New World, that word would seem to be "paternalism." From first to last the French government endeavored both to advance and to control all the economic activities of its colony by the free use of official machinery. If New France never became materially prosperous it was not through any lack of governmental encouragement or parental care. But those who sought to foster infant colonial growth were too cold and unbending: and the colony proved discouragingly unresponsive. The attempt to force the economic enterprise of the country into restricted and narrow channels discouraged private initiative. Of this latter there was, to be sure, never very much, but what there was clamored in vain for freer and broader scope. In this respect the early colonial policies of France and England stand out in sharp contrast. The Anglo-Saxon colonist possessed of himself a more abundant stock of individual enterprise, and a more complacent self-reliance than his Gallic neighbor, but apart from this he was allowed to shape his economic destinies under much less hampering conditions. It is in the ever-present paternalism that we find the true explanation of the tardy economic development of New France, just as in the comparative absence of it we find a reason for the rapid agricultural, industrial,

and commercial development of New England. France never lost sight of her designs to found in America a powerful military colony; all other factors in colonial development were warped into agreement with this idea. England, on the other hand, was wise enough to recognize that, in the long run, military prowess rests with that land which has devoted itself most successfully to the arts of peace.

It will be remembered that in the charters of the early trading companies, to the care of which the colony had been consigned, provisions had been made for the transportation to New France of certain annual quotas of settlers and for the maintenance of these during the first few years following their arrival. The charter of the Company of New France, for example, placed upon it the obligation of transporting to the colony several thousand settlers to whom the Company was under further obligation to make grants of land and to maintain them until such time as the lands had been cleared and made to afford subsistence. During the thirty-five years of its existence this Company had brought out to the colony only a small fraction of the number agreed upon, nor had it properly fulfilled its obliga-

would be the supply of peltry offered at its warehouses, and hence, the larger the annual dividends. The pecuniary interest of the Company lay in mercilessly exploiting the transitory resources of the colony, not in furthering at its own cost royal designs for the agricultural development of New France.

When, in 1663, the king withdrew the administration of the colony from the hands of the Company of New France and announced his intention of supervising its military and political welfare, it might have been thought that an end would be made of the exploitation of colonial resources by commercial companies. But not so, for in the very next year we find the Company of the West obtaining the exclusive control of the fur trade, the exclusive profits of mines, forests, and fisheries, and the exclusive right of making land grants. It was expected that there would now be rapid progress in the clearing and development of the agricultural lands along the St. Lawrence. But when more than a year had passed and the Company showed no desire whatever to devote attention to anything but the fur trade, Talon was moved to warn the minister that any hopes which might be held in this connection were doomed to disappointment. "If His Majesty," wrote the intendant, "wishes to make anything of Canada, he will never succeed unless he withdraws it from the hands of the Company. . . . If, on the contrary, he looks on this country as suitable for the fur trade alone . . . the profit which will result therefrom is not worth his attention and deserves very little of yours . . . for the Company will profit much, to the utter impoverishment of the colony." It was perhaps as a result of this very timely warning that General De Tracey was instructed to report on the whole matter to the king, which he did shortly after his arrival. In anticipation of royal action based upon this report, the Company asked that in future all grants should be made by the intendant on such conditions as might seem reasonable to him. This request was readily granted, and

from this time down to 1674, when the Company lost its privileges, lands were granted by the intendant, but in the Company's name. And from 1674 onward, lands were granted only in the name of the king by his representatives in the colony.

Since 1663 the king had spared neither care nor expense in his endeavor to further the development of the colony. Recognizing that what it needed most was population he had readily acceded to Talon's suggestion that the officers and men of the Regiment de Carignan-Salières, which had been sent out to chastise the Iroquois in 1665, should be induced to take up lands in New France and become permanent settlers. Many of the officers were given seigniories along Richelieu River where the danger of Mohawk inroads seemed greatest, and in these seigniories the soldiers of the disbanded regiment were induced to take up lands. Nor did the royal paternalism end here. Both officers and soldiers must have wives, and, as these were not obtainable in sufficient numbers within the colony, several shiploads of women were sent out at the king's expense. As to the

As the settlers flocked into the country during the closing years of the seventeenth and early years of the eighteenth centuries, lands began to be granted in lavish fashion. Almost every settler who had possessed any standing in France was granted a seigniory, while others had to be content perforce with smaller holdings obtained from the seigniors. And as the demand for these holdings grew brisker with the increasing influx of settlers, many of the seigniors seized the opportunity to exact a *prix d'entrée*, or initial payment, from applicants for lands within their seigniories. This, however, was contrary to the intentions of the authorities, and in the *Arrêts* of Marly (1711) the king positively forbade this practice. Henceforth the seigniors were bound to concede farming lands to all settlers who demanded such, subject of course, to the payment by the latter of the customary seigniorial dues and the rendition of the accustomed seigniorial services. In fact, provision was made that in case a seignior refused to concede lands to applicants, the governor and intendant might step in and make the concession, in which case the seigniorial dues thenceforward went to the crown and not to the tardy seignior. From time to time the authorities put effective pressure on all holders of seigniories in order to secure the settlement of their lands. Where sufficient progress had not been made in clearing and populating seigniories, threats of revoking the seigniorial grant were made, and in some cases were actually carried out, lands being taken from the grantees and reunited to the royal domain.

It was under the seigniorial system that practically all the lands of the colony were granted. Occasionally, grants in *franc aleu* (free and common socage) were made, and in a few instances grants in *franc aumône* (frankalmign or mortmain) were made to religious bodies. But in the vast majority of cases grants made by the Company or crown were held *en fief* or *en seigneurie*. As to the extent of these grants there was no fixed rule; they varied from a few acres to many square leagues. As a general rule, however, they

assumed an oblong shape, with a narrow frontage on the river and extending several leagues inland. The obligations of the seignior to the crown were not burdensome. The grantee on receiving his seigniory was obliged to repair to the Château de St. Louis, at Quebec, and there render his fealty and homage to the governor as representing the king. Next, he deposited and registered a map of his seigniory with the proper officials. The only financial burden upon the seignior was the necessity of paying a mutation fine amounting to one-fifth of the value of the fief on every change of ownership other than inheritance in direct succession. In most cases the king, in granting the seigniories, reserved the right to take from the land such timber as might be needed for the royal navy and to appropriate such lands as might subsequently be found desirable as sites of fortifications or for other military purposes. The obligation to render military service does not appear as an express provision in any of the grants; its insertion was rendered unnecessary by the fact that all, whether landholders or not, were liable to be called upon for service at any time.

Lands within the seigniories were granted by the sei-

en seigneurie and for the seignior to sub-grant the larger portion of this *en censive*. These *en censive* holdings varied considerably in extent but they invariably assumed the same shape, that of a parallelogram with a frontage of a few acres on the water and a depth about ten or fifteen times as great. This peculiar arrangement of the holdings appears to have resulted from the desire of every settler to have access to the river, which, in the earlier days of the colony, formed the great highway of communication and transport.

The rights of the seignior over his *censitaires* were numerous and more or less complicated. Some were pecuniary, some judicial and some were purely honorary. Prominent among the first of these was the right to receive the annual payment known as the *cens et rentes*. The former, amounting in most cases to but a few sous per acre, was paid in cash; the latter was usually paid in produce and formed a real burden. Grain and poultry were for the most part the forms of produce used in paying the *rentes*, the *censitaires* gathering about the seigniorial manor-house each autumn after the first snowfall to make delivery of their respective dues. Then there was the payment known as the *lods et ventes*, a mutation fine of about one-twelfth of the value of the holding which became due to the seignior whenever the land changed hands. Transfers for a consideration below the true values of the lands in order to defraud the seignior of his proper share were prevented by a proviso of the system which gave him the right to step in, on giving due notice of his intention so to do, and preëmpt a holding at the alleged transfer price. Again, there was the *droit de banal* or the right enjoyed by the seignior to erect a grist mill within his seigniory and to compel *censitaires* to bring their grain thither to be ground, paying, of course, a certain toll for this service. During the greater part of the French régime, however, the burden rested upon the seigniors rather than upon the *censitaires* for royal ordinances compelled the seigniors to erect the mill for the convenience of their *censitaires* whether there was a chance of profit or not. As a

matter of fact, most of the seigniorial mills were run at a loss, for the toll exacted, amounting to one-fourteenth of the grain ground, did not suffice to pay the wages of a miller. In some cases a seignior sought to reduce expenses by attempting to run the mill himself with the usual result that the *censitaires* obtained miserable flour and were loud in their complaints to the authorities. In addition to the foregoing pecuniary rights, the seignior had the privilege of exacting from his tenants a certain number of days' labor during the year. This was known as the *corvée*; and, while both common and harsh in France, was never exacted to any burdensome extent in Canada. The colonial authorities intervened in 1716 to prevent the exactation of this forced labor in seedtime or harvest, and in the following year seriously considered the matter of abolishing the right. The exactation, however, continued in force down to the close of the French régime, but in most cases it was in the form of a money payment in lieu of the personal services. Finally, the seigniors possessed a number of less important privileges for most of which they stipulated in making their sub-grants. For example, the seigniors usually reserved the right to take

(*haute, moyenne et basse justice*) which implied that the seignior might establish a court to take cognizance of all except serious crimes, such as treason, murder, sedition, counterfeiting, and the like. Occasionally, however, seigniors were granted the rights of mean or low jurisdiction only, in which event their judicial scope was more limited. As a matter of fact seigniorial justice was rarely exercised except in very minor causes and not often then. This in a measure was due to the sparseness of the population and the comparative poverty of the colony, because of which little profit could be had from fines, fees and other incidents of jurisdiction after the required payments had been made to the court officials. Not that the people were disinclined to litigation, for different intendants reported to the home authorities the chronic litigiousness of the *habitant*. But their disputes were so trivial that their adjustment gave the seignior much trouble for little pecuniary return. But a second reason may be found in the early establishment of royal courts. These had not alone appellate jurisdiction over the seigniorial courts but original jurisdiction in all cases as well. Hence, whenever a royal court was established within convenient distance, resort was had to it. In this way the royal courts gradually obtained and exercised original jurisdiction in even the most unimportant causes.

Then there were certain rights, more or less honorary in their nature, which the seignior enjoyed. Among other things he could require the *censitaires* on Mayday of each year to assemble to plant a Maypole at the door of the seigniorial manor; he might demand the most desirable place in the parish church and precedence in the administration of the sacraments. Likewise, he was regarded as being entitled to a general deference from his *censitaires*, but the manner in which this manifested itself depended, obviously, upon his own social rank and wealth. Some writers have used the terms "seigniors" and "noblesse" as synonymous. In France it may be nearer correct to use them so, but in speaking of Canada this use of the terms is quite

misleading. In France, the seignior was always a member of the *noblesse*; in the colony, he was by no means such. In fact, not one Canadian seignior in fifty had this rank. From time to time the French king, in recognition of meritorious services performed by certain seigniors either in military expeditions or in the defence of the country or in advancing the civil interests of the colony, granted patents of nobility to them. Furthermore, some of the immigrants to the colony, especially among those who came out with the intention of taking government service and among the officers of the disbanded Carignan-Salières Regiment, were already members of the *noblesse* in France, and these, of course, retained their rank in Canada. On the whole the design of creating a feudal aristocracy in the western dominions of France was not attended with any marked success. Those who received rank in the *noblesse* were undoubtedly for the most part worthy of the honor, but they were also for the most part very poor in worldly goods and found the struggle to maintain their dignity a very hard one. In fact, dire poverty seems to have been one of the chief attributes of a Canadian aristocrat of the old régime. From time

be anything but paupers." After both De Meules and Champigny had repeatedly emphasized the desirability of granting no more patents of nobility, the king promised acquiescence. But he failed to keep his promise, for patents continued to be issued at various intervals down to the close of the French régime. The total number of noble families was, however, never very large. Governor Carleton estimated that at the time of the British conquest there were not more than one hundred and fifty in all, and of these the majority returned to France as soon as the Treaty of Paris was announced. Yet it is not to be imagined from the foregoing that all the members of the *noblesse* were in perpetual poverty; many of them were signal exceptions to the general rule. Unfortunately, many seigniors were well to do until the king bestowed patents upon them in recognition of their industry and thrift, but thenceforward they became too proud to work and soon dissipated what means they had accumulated.

Such was the system under which the rural population of New France was organized. Whatever may have been the political and military advantages of the system from the standpoint of a Bourbon *déspotism*, it was not conducive to sound and rapid agricultural development. This is abundantly shown in the extremely primitive methods of agriculture which prevailed in the colony down to the close of the French régime and by the continued backwardness of agricultural Lower Canada in comparison with her sister provinces so long as the seigniorial system was permitted to exist. Even at the present day, although half a century has passed since the Act of 1854 swept away the last vestiges of feudal tenure, the province has not fully recovered from the effects of its long existence. It is not to be inferred that the existence of the seigniorial system of tenure was the sole cause of tardy agricultural development. The lucrative fur trade drew off what was perhaps the best and most progressive element of the population; the exaction of the tithes and the strict insistence by the Roman Catholic

Church on the observance of a large number of fast days and holy days by abstention from labor; the generally low standard of education in the colony; these and a number of other circumstances contributed more or less directly to the same end. But the land tenure system was, nevertheless, the most important clog upon progress.

As the earlier settlers received very generous allotments of land no attempt was made at the outset to clear any considerable portion of each holding. The *censitaire* proceeded, usually, by preparing a few arpents lying next the river, and upon them he erected his house and outbuildings. From year to year the cleared space was extended back from the stream and it was only after a generation or more that the whole tract was made ready for the plow. In fact the work of clearing the holdings proceeded so tardily that from time to time ordinances had to be issued by the authorities at Quebec threatening to give the seigniors power to revoke grants unless a reasonable area had in each case been put under cultivation within a reasonable time. Once cleared, the lands were put under cultivation in rather rough fashion. The implements were primitive, and in

family could hope to raise more grain than sufficed for its own needs. Somewhat later Catalogne, in his lengthy report, declared that "if the soil were not better cultivated in Europe than here, three-quarters of the people would starve." Maize throughout the whole of the French era formed the principal crop, but wheat, oats, and other grains were grown in considerable quantities. Some attention was given to the cultivation of roots and vegetables, while large quantities of hay were annually taken from the rich meadow lands along the banks of the St. Lawrence and its tributaries. In the raising of cattle slow progress was made. Horses, horned cattle, and sheep were sent out to the colony by the paternal king and distributed with a view to assisting the *habitants*, but the cattle-raising industry, while not unimportant, hardly fulfilled expectations. One very great difficulty with which the *habitant* had to contend was the scarcity of labor. The incessant military operations drew off large numbers of those who might otherwise have been available for work on the land, and it was only with the utmost difficulty that, in many years, the harvest could be garnered in. Even women and small children had to be pressed into service in the fields on such occasions.

The houses of the seigniors were, for the most part, comfortable and substantial one-story structures. As a rule, these were built of wood, but many of the more wealthy built substantial manor houses of stone. The main building was usually long and narrow, surmounted by lofty gables and with a very steep roof. On the ground-floor were two or more living rooms, partitioned off by boards, for lath and plaster were practically unknown. Above, on the spacious attic floor, were the bed chambers. Numerous high-peaked dormer windows thrust themselves out from the roof to afford light to these chambers. The main building was usually flanked by a wing in which were the kitchen and storehouse. Around this manor house clustered the barns, stables, and other outbuildings. Even in the houses of the seigniors the furniture was extremely simple. A homemade

carpet, a rough hewn table, some coarse chairs, a chest of drawers, and in the corner the spinning-wheel; these, with a long bench or two, formed the furnishings of the main room. Many of the more opulent seigniors had, however, brought their goods with them from France, in which case their dwellings presented internally a more luxurious appearance. The main room of the manor house was usually utilized by the seignior for holding the seigniorial court whenever he happened to avail himself of his judicial privileges.

The dwellings of the *habitants* were usually small but snug cabins, built of timber, and provided with wide overhanging eaves. Rarely were there more than two rooms within; one of these being a general living room and kitchen, the other a chamber. The furniture differed little from that of the seigniors, for in worldly goods there was no wide divergence between the two classes. A spacious hearth with its long crane and large "bake-kettle" was the most striking feature of the room. Here the blazing fire cheered the long winter evenings.

In industrial development there was but little progress

constant claims that the grain could be more satisfactorily ground at home. In 1732, the king shipped out a number of fanning mills, and these were distributed among the seigneurs in the districts of Montreal and Quebec, and by the use of these appliances results were considerably improved. But the milling industry, usually one of the first to develop in a new agricultural country, made exceedingly discouraging progress.

Talon, during his intendancy, made vigorous attempts to establish a few manufactures, but without apparent success. Thus he proceeded to lay the foundations of a shipbuilding industry by constructing a vessel at the royal expense as an object lesson to the people. But the lesson was not learned, for it was forty years or more before the next ship left the stocks at Quebec. Again, he dispatched prospectors to search for minerals in the western countries, and these were rewarded by the discovery of rich copper mines on the shores of Lake Superior. But the distance from Quebec was too great and several generations passed before any serious attempt was made to develop these deposits. By persuasion and promise of reward as well as by example, the Colbert of New France tried to interest others in the promotion of industrial enterprises. One individual was induced to begin the manufacture of potash and soap; another began the making of tar; a third established a small tannery, and a fourth commenced the manufacture of hats and shoes. With unconcealed pride the worthy intendant sent off samples of their wares to the king who commended heartily the good work. One of Talon's final acts was the establishment of a small brewery, designed not alone to keep the *habitants'* money in the colony, but to assist in the diminution of drunkenness by substituting for French brandy a less intoxicating liquor.

After Talon's departure, however, industry languished for lack of practical encouragement. Succeeding intendants plied the king with requests for assistance in the way of trained artisans and money grants. "Send me some tilers,

brickmakers, and potters," wrote one. "Send me iron-workers to work our mines," begged his successor. A third, less specific in his demands expressed a desire "that His Majesty would send us all sorts of artisans." As a matter of fact, however, it was not the policy of the king to develop the industries of the colony in such wise as to create competitors with industries at home. Flour mills and tanneries might be safely encouraged but it was not the design of the French government to make New France industrially self-sufficient. Rather was it thought best that the colony should provide at once a source of raw material for France and a market for her manufactured goods. Even in the closing days of the old régime, Montcalm expressed this doctrine with undiminished vigor. "Let us beware," he says, "how we allow the establishment of industries in Canada or she will become proud and mutinous like the English colonies. So long as France is a nursery to Canada, let not the Canadians be allowed to trade but kept to their laborious life and to their military services. They will be less wealthy but more brave and faithful to us." These are strange words to our ears, but if they represented

residence. "Praised be God," writes Denonville, "there is not a heretic in this colony." He might have added that there was as scant sign of industrial and commercial growth as of heresy. The Huguenots were extremely progressive artisans and traders, and their migration to the colony would have introduced therein a vigorous and enterprising stock. New England was colonized by religious refugees, and to a glorious outcome, as her history abundantly shows. France, however, preferred to keep from her colonies the only class of settlers who earnestly desired to migrate thither, preferring a population of unprogressive and impoverished churchmen to a colony of prosperous heretics. If ever there was a community free from positive heterodoxy, it was the New France of the seventeenth and eighteenth centuries. The fact, while it may solace the ardent clerical writer, wrings scant admiration from the student of economic history.

In trade and commerce, the spirit of restriction and monopoly dominated every branch of activity. Down to 1674, the successive companies to whose charge the commercial development of the colony had been committed guarded their privileges most jealously. The Company of New France, during the years 1632-1663, allowed no one to proceed to Canada except on its vessels, and no trading could be done except through its storehouses. And even with its strict monopoly and comparatively light expenses, this Company was not able to make very large profits. For the heavy shackles kept gross expansion within narrow limits, and net profits suffered greatly at the hands of pilfering officials. From 1663 to his retirement from office in 1683, Colbert nursed the colony with his utmost care. The Company of the West Indies possessed a monopoly of the trade during the first eleven of these years, but Colbert controlled its operations with a firm hand. Under the auspices of his able agent, Jean Talon, every effort was made to increase the exports of New France, especially to the French West Indies. Thus, in 1667, a vessel was freighted at Quebec with fish, grain, and timber by the zealous intendant and

sent off to the West Indies, where the cargo was to be exchanged for sugar. This, again, was to be taken to France, there to be exchanged for goods suited to the Canadian market. But, try as they might, the trade would continue only so long as the royal treasury continued its pecuniary support.

When, in 1674, the charter of the Company of the West Indies was revoked, trade was declared open to all subjects of the king; yet all the heavy shackles were not removed. Merchants not resident in the colony were allowed to trade with the Indians only through some colonial merchant; and under no circumstances were they to trade above Quebec, and there trade was allowed during certain months only. No one, whether resident or not, was permitted to trade with the English colonies, nor could anyone visit these without a special passport, which was not easy to obtain. None but French goods could, under any circumstances, be brought into the colony; any foreign goods found in the country were subject to immediate confiscation. Imposts on trade were no longer levied by the Company, but by

involved were invariably small. Ordinarily, their only burdens were the seigniorial dues and the tithe. This latter, amounting to one-twenty-sixth of the produce of every holding, went to the support of the Church, and its collection was sanctioned by the civil authorities.

What traders found much more oppressive than the taxes was the strict regulation of prices maintained by the authorities. Every commodity had its price fixed by ordinances of the Council, and no one might either sell or buy below or above this on pain of fine. The comparative inelasticity of these schedules seriously hampered natural trade and drove it into illicit channels. It was not long before many of the Indian tribes found that they could exchange their furs much more profitably with the Dutch and English merchants, for these were under no such hampering regulations. It was for this reason that so much of the western trade was diverted to Albany. Nevertheless, the French by their superior knowledge of Indian diplomacy, their practice of making lavish gifts to tribal chiefs and the influence of their Jesuit missionaries, managed to hold their share of the peltry traffic despite their great economic disadvantages. From first to last the fur trade was the economic backbone of New France. It was throughout two centuries more important than all other branches of commerce put together. Fascinating, adventurous, dangerous, yet withal profitable; it not alone absorbed almost the whole enterprise of the colony but in sapping the life blood of all other branches of economic activity, it kept them in a state of chronic debility. The giant octopus swallowed, with insatiable avidity, almost all the enterprise and energy which might have diverted themselves into channels more permanently beneficial to the colony.

There were two methods by which the fur trade could be carried on. One was by going to the Indians to buy and sell; the other was by having the Indians come to the French. From the outset to the end, the individual traders much preferred the former method, but from first to last the

authorities sought to establish the latter. At was to this end that at an early date regular fairs were established at Montreal, Three Rivers, and Quebec, and to these each summer came the canoe flotillas of the Indians from the north and west. Every trader established his booth, and for days the bartering continued till the Indians had exchanged their harvest of the forest for blankets, cloth, utensils, and trinkets. The authorities strongly favored this system of trade for it gave opportunity for the exercise of strict regulation in the matter of prices. Likewise it rendered possible a more or less effective check on the liquor trade. But the prohibition could not always be enforced even at the fairs, for these seem to have always ended in a pandemonium of drunken frenzy.

Many of the hardy traders chafed under the restraints imposed upon trade at the settlements. At the outset they tried the expedient of going a short distance out from Montreal in order to waylay the savages as they came down the river, and thus forestall their less enterprising brethren who waited at the fair. Usually they were successful in intercepting the Indians, and, having befuddled them with brandy,

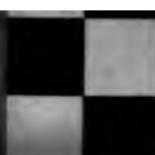
law and order into the trade, became hotbeds of iniquity, debauchery, and lawlessness. In the bulky volumes of the *Relations* the commandants and traders of these western forts stand pilloried on almost every page. But in this matter the Jesuits cannot be accounted impartial chroniclers. To the whole system they were uncompromisingly opposed, and to assume that their narratives were not colored in consequence is to grant their testimony different consideration from that properly accorded contemporary evidence. It must be admitted, however, that the traders at the western posts were in the field for high profits, and that, in consequence, they were not overscrupulous in their methods of obtaining these. Some of them, moreover, were not men whom we might reasonably expect to put into practice those principles of honesty, sobriety, and chastity which their ecclesiastical compatriots sought to enforce.

Another mode of attempted regulation was to issue licenses to a limited number of *coureurs de bois* each year. Usually the number granted was twenty-five, and for each license a considerable payment was exacted. But that this system effected little is shown by the statement in one of Duchesneau's dispatches that more than eight hundred men out of a population of less than ten thousand souls had taken to the wilderness to trade. Lands were abandoned; wives and children were deserted; debts were left unpaid; the fascination of the traffic seemed to grip every vigorous young man in the colony. In fact, the exodus, despite stringent interdictions, seems at times to have assumed the character of an organized movement, and the adventurous Du Lhut is said to have effected a general combination of the young men of Montreal to follow him into the forests. Often the *coureurs de bois* remained in the woods for years at a time, returning to civilization whenever they thought the chances of punishment were smallest. For half a century they held in their hands the destinies of the great West and supplied the East with the sinews alike of peace and war.

The system of currency deserves notice. It gave the authorities both of New and Old France much trouble. Early in the course of commercial development it was found that the "balance of trade" was constantly against the colony, and that, in consequence, specie currency was no sooner shipped out to Canada than it made its way back to France. Consequently, there was a perpetual scarcity of coined money in the colony, and as a result traders had to use skins and grain as circulating media and standards of value. In the course of time the Council was forced to recognize existing conditions by making these commodities legal tender at their market prices. But these were at best clumsy expedients, and soon the French government undertook to provide the colony with a coinage which might circulate in the colony at a value one-quarter below that possessed by it in France. Prices almost immediately rose twenty-five per cent and most of the new coins followed their predecessors to France. By accident the authorities, in 1685, introduced a new circulating medium, the famous "card money." In that year, through mishaps, the money wherewith to pay the troops in the colony did not arrive,

At different times during the first quarter of the eighteenth century, the French government tried to buy up the depreciated card money at half its face value, and met with some success in this direction. But before the redemption was finished it was found necessary to reissue the peculiar currency, and in the closing years of French régime issue followed issue until the country fairly floundered in the slough of depreciated paper. The redemption of this fiat money was one of the difficulties which, on their assumption of control after the conquest, the British authorities had to face.

“The physiognomy of a government,” wrote the sage De Tocqueville, “can be best judged in its colonies. When I want to study the spirit and faults of the government of Louis XIV., I must go to Canada; its deformities are there seen as through a microscope.” A survey of the agricultural, industrial, and commercial organization of New France under the Bourbon kings may well serve to show the truth of this assertion. Rarely, if ever, has a sovereign had the interests of a colony so much at heart as had Louis Quatorze. According to his light he strove earnestly to advance the welfare of New France. But his light was too often so faint as to mislead rather than guide. His paternalism was of the sort that serves to stunt rather than to develop; to starve rather than to nourish.



CHAPTER VII

THE CONFLICT TIME

THE conclusion of the Peace of Utrecht was welcomed heartily by the inhabitants of New France. For neither in numbers nor resources could the colony expect to cope with the British colonies to the south, which, if persistent in their operations, must eventually gain the upper hand in America. No one knew this better than Governor Vaudreuil, and, during the early years succeeding the peace, he bent his energies to the task of strengthening his colony. It was an uphill task, for in a report to the French minister he gave the total number of the population capable of bearing arms at less than five thousand, and even this number included all the male population between the ages of fourteen and sixty. The regular forces then stationed in the colony numbered, according to this report, a little over six hundred effective men. That the British colonies could muster at least ten times this number was the firm conviction of the governor, and he emphasized the urgency of despatching additional troops to New France and the encouragement of emigration to the colony by every available means. But these importunities had but little effect at Versailles. The regent seems to have had for the colony little of that constant care which the old king had manifested even in his most degenerate days. Furthermore, with the beginning of the Regency, a change took place in the system of reports. The practice hitherto had been for the

governor and each of his subordinates to write every year a long despatch, giving a general summary of the year's events and containing recommendations of all sorts. Henceforth, each matter was to be dealt with in a separate despatch by the governor or intendant; while subordinates were now to make reports and recommendations only through one or other of these officials. This was done in order that each communication might be referred to the proper authority in France; for the regent seems to have had little of the desire of Louis XIV. to peruse personally all communications of this nature.

For a time after the conclusion of the peace of 1713, the relations between New France and the British colonies were fairly amicable. But difficulties soon arose. Vaudreuil had obtained from the Senecas permission to erect a fortified post on the southern bank of Niagara River, and to this Governor Burnet, of New York, objected with some show of justice; for the Treaty of Utrecht had conceded to Great Britain the right of suzerainty over the Five Nations. But Vaudreuil paid no heed to Burnet's protests, except to declare that the territory was avowedly French. The Brit-

of Louis XIV. For this allegation there seems, however, to be no foundation. The family was a prominent one in France, and was destined to figure prominently in Bonapartist history, a descendant of Claude de Beauharnois, a younger brother of Charles, becoming the mother of Napoleon III. The new governor was a naval officer, in the prime of life, and vigorous in thought and action. One of his first acts was to reiterate Vaudreuil's protests against the establishment of the British post at Oswego; but the shrewd Burnet courteously pointed to the French action in establishing a post in disputed territory near Niagara. So the matter dropped, for neither of the home governments was at all anxious to precipitate a conflict. Cardinal Fleury, who controlled the policy of France at this time, was earnestly desirous for peace, while Walpole, on his accession to office, was equally earnest in the same direction. There were, however, outlets for French wrath other than along the British colonial frontiers. The western Indians, more especially the Foxes, had on various occasions interfered with French trading parties *en route* to the Mississippi; it was now decided to visit them with exemplary punishment. To this end a strong force was mustered in the Illinois country; the allies of the Foxes were detached from them, and after a tedious campaign the tribe was broken up and its remnants driven westward beyond the bounds of interference. To the colony as a whole the thirty years of peace came as a valuable boon, and rapid strides were made in population and wealth. Giles Hocquart, the untiring intendant, lent his encouragement to every branch of economic activity, and with good results, as were soon seen in the general prosperity. But with prosperity came a renewal of gayety in the colonial centres of population, too often degenerating into license; for the degeneracy of the French court and of the noble classes at home could not but find some echo even at a distance of three thousand miles. In Quebec one begins to mark a decided increase of official dishonesty and corruption, which not alone demoralized the

administration, but sapped colonial resources and laid the foundations of that weakness which served to render the ultimate conquest of New France less difficult than would otherwise have been the case.

In Acadia, matters had been, since the conclusion of the Peace of Utrecht, very far from tranquil. By the provisions of the treaty, Great Britain was to possess Acadia "conformably to its ancient boundaries"; but what territory "Acadia" comprised was a matter upon which the authorities of the two countries held widely differing views. Great Britain interpreted the term "ancient boundaries" as including a considerable portion of the present State of Maine and the whole of what are now the provinces of Nova Scotia and New Brunswick. The French, on the other hand, declared that the cession included only Nova Scotia and the Maine territories as far as the Kennebec. The colonial authorities of each monarchy held firmly to their respective interpretations. In this the French had the decided advantage, for they continued to maintain their precarious hold on the New Brunswick territories, and possession



1. *Introduction* 2. *Methodology* 3. *Results* 4. *Conclusion*



Rolland-Michel Barrin, Comte de la Galissonnière. Governor of Canada, 1745-1749. *From the engraving in the Château de Ramezay, Montreal.*



Charles Dubois, Baron d'Avau, Governor of New France, 1745-1749. *From the Sir Gilbert collection, Queen's University.*

of success. The British in Massachusetts were, however, fully alive to the probable consequences of this policy, and Governor Shute was prompt in endeavoring to counteract it by the despatch of Puritan ministers to the Abnakis settlements. Prominent among those was Joseph Baxter, who hastened to indulge in a vigorous theologic duel with his Romanist adversary, in the course of which, however, he found himself outmatched.

But more effective in support of the British claims was the gradual advance of their settlements into the disputed regions. Of this encroachment the French emissaries made the most with their savage flocks; the Abnakis were ruthlessly incited to drive out the Puritan missionaries and to vent their resentment upon the advancing settlements. In this work Vaudreuil lent his assistance by the dispatch of numerous parties of Indian warriors from the Montreal district. For three years (1721-1724) the northern frontiers of New England experienced all the horrors of warfare, while the hard-pressed settlers clamored urgently for assistance from the authorities of Massachusetts; for the latter colony comprised the Maine settlements within its jurisdiction. Assistance was slow in coming, however, for the Massachusetts Assembly was constantly at issue with the governor, and on this, as on many other occasions, subordinated military necessities to political antipathies. It was not till 1724 that a strong force was sent to the Kennebec, and after a vigorous campaign wiped the Norridgewock settlement out of existence. In the course of the operations Ralé met his death, and the French attempts to maintain their control over the Kennebec territories came to an end.

In the assertion of their claims in Acadia the French efforts met with somewhat greater success. Here they had a signal advantage in the possession of Cape Breton. No sooner had the peace of 1713 been duly signed than preparations were made for the establishment there of what was intended to be the strongest fortress on the Atlantic coast,

and an effective counterpoise to the British possession of Annapolis in Nova Scotia. In fact it was felt that the establishment of an impregnable post in Cape Breton would completely deprive Britain of any advantage which, from a military standpoint, the cession to her of Acadia might bring; while, at the same time, the new fortress would form an advantageous centre for the dissemination of sedition among the Acadian population. Cape Breton had several good harbors; of these the present harbor of Sydney was the best. But this did not lend itself to fortification without enormous expense, and it was decided to select the inferior harbor of Louisburg, since its natural configuration rendered fortification easier. The plans were prepared under the supervision of the great engineer Vauban; and in a few years, with the lavish expenditure of millions which the French treasury could very ill afford, Louisburg was transformed from a defenceless fishing village to the strongest naval and military station in North America; while under the shadow of the fortifications there grew up a thriving town of several thousand inhabitants. It had been

The terms of the treaty had guaranteed them freedom in the exercise of their religion, and of this privilege the French authorities now made the most by using the priests as agencies for keeping alive the ancient allegiance of the people to France. This was all the more easy, since the British government established but a very precarious military hold on its newly acquired province. Annapolis, with its usual garrison of one hundred men, was the only military post in the province and was the headquarters of the British authorities. Treated with neglect, its fortifications decayed and the post soon presented a poor spectacle in comparison with the seemingly impregnable Louisburg. Few if any British settlers arrived in the province, while the Acadians multiplied with extraordinary rapidity. British sovereignty in Acadia was therefore little more than a name. The result of the inactivity of the British government was intensified by the vigorous propaganda which French emissaries carried on in all the Acadian settlements. This whole matter was under the supervision of the Governor of Île Royale, who saw that there was no dearth of priests among either the Acadians or the Indians inhabiting the territory.

The anomalous state of affairs was well shown in 1727 when, on the accession of George II., the Acadians were directed to take the oath of allegiance to the new sovereign. The issue of a proclamation to this effect was met by assertions from all parts of the province that the Acadians would abandon their holdings rather than renounce their old religion and allegiance. Because the Acadians outnumbered his paltry garrison five to one, the commandant at Annapolis thought it prudent to extend indefinitely the time during which the oath might be taken: it had been fixed in the proclamation at four months. In the course of the next ten years, the matter was broached again and again; and British officers visited the various settlements in an endeavor to persuade the inhabitants to take the oath. In some cases, perhaps in the majority, they were eventually

successful, but only on appending to the oath a promise that the Acadians should never be asked to take up arms against either French or Indians. In most of the settlements the officials marked a growing spirit of independence among the people, who, relying on their numerical strength, and fully informed of the weakness of Annapolis, now began to be openly seditious. The French emissaries carried on their work boldly, and proclaimed, with very little attempt at secrecy, the French intention to recover Acadia, and that with the assistance of the Acadians themselves, whenever the quickening march of events in Europe should precipitate France and Great Britain into another conflict.

In Europe during this time the political horizon had frequently clouded, but the mutual efforts of Walpole in England and of Fleury in France had averted danger. Toward the close of the thirties, however, Walpole found it impossible to keep his government from hostilities with Spain. The commercial interests of Great Britain had been rapidly extending, and with this extension came encroachments upon the Spanish monopoly of her lucrative colonial

to seize or annoy a single British ship, or to take one foot of land possessed by England in any part of the world. Yet I must prevent England from accomplishing her great purpose of appropriating to herself the entire commerce of the West Indies. France, though it has no treaty with Spain, cannot consent that the Spanish colonies shall fall into English hands."

It was at this turn in affairs that a new issue appeared to precipitate Europe into a general conflict. The death of Charles VI. in Austria had extinguished the male line in the House of Hapsburg, and, according to the ordinary rules of succession, the throne must have passed to another line. Before his death, however, Charles had effected with the chief European powers a convention known as the "Pragmatic Sanction," whereby the succession in Austria was guaranteed to his daughter, Maria Theresa, despite the established rules of descent. To this convention France had been a party. But now when, on the death of her father, the young queen attempted to take quiet possession of the Austrian throne, she found herself opposed by rival claimants in several quarters. France, forgetful of her solemn promise to the deceased king, championed the claims of a Bourbon protégé, the Elector of Bavaria; while, to add to Maria Theresa's misfortunes, Frederick II., the young King of Prussia, trumped up a pretext for the ruthless seizure of Austrian Silesia. Faced by the combined resources of France and Prussia, Maria Theresa would soon have been compelled to purchase continuance on her father's throne by the cession of valuable territories to her enemies, in which case France would in all probability have gained possession of the Austrian Netherlands. It was this that brought Great Britain into the field; for, although she had no immediate interest in the domestic affairs of Austria, her ministers were not prepared to allow further French aggrandizement in Europe without opposition. Parliament first assisted the Austrian cause with subsidies, a little later with troops, and by 1743 the whole of western Europe was enveloped in the conflict.

As usual, news of the outbreak of the war reached the French in America before it became known to the authorities of New England; and the authorities at Louisburg made immediate preparations for the recovery of Acadia. A little fishing settlement at Canso presented the nearest and easiest prey, and to the capture of this the Louisburg commandant, Duquesnil, directed his efforts. His expedition met with little resistance from the fourscore fishermen who made Canso their headquarters; the place was destroyed and the prisoners were shipped off to Boston. Duquesnil's next efforts were directed toward the capture of Annapolis, which was still the only fortified British post in Acadia. Its dilapidated walls sheltered its usual scanty garrison of perhaps one hundred effective men, and at this time a slight reinforcement which had recently arrived from Boston. During the course of August, 1744, the environs of Annapolis were reached by a considerable force from Louisburg, accompanied by bands of Indians. It was expected that the force would be largely augmented by Acadians, but these for the most part held aloof from active

the authorities of New England, driving them to a scheme of retaliation as successful as it was audacious.

The governor of Massachusetts at this time was the fiery lawyer, William Shirley, and under his inspiration the proposal of an attack on Louisburg was forthwith put forward. Shirley, although he knew absolutely nothing of the arts of war, had unbounded confidence in his own capacity to map out a successful campaign; and in his desire to proceed at once with the organization of an expedition against Louisburg, he had the vigorous support of the mercantile and fishery interests, which suffered most severely at the hands of French privateers, whose rendezvous was the sheltered harbor of Louisburg. But Shirley could do nothing without the assent of the General Court, or popular assembly, of his colony; and as absolute secrecy was one of the indispensable requisites to the successful issue of the plan, his task was not an easy one. Nothing daunted, however, he assembled his legislators and swore them to secrecy. With true Puritan caution they deliberated for days, and had not come to a decision when news of the project leaked out. It was said that one of the members, whose piety outran his discretion, prayed so loudly for Divine guidance in the attainment of a decision, that eavesdroppers overheard him. At any rate, the plan was disclosed; it at once aroused opposition as being foolhardy, and the wavering members forthwith refused assent.

But Shirley was not thwarted. The arrival of the fugitives from Canso with reports that Louisburg was under-garrisoned with mutinous troops, and that supplies there were running short, together with renewed clamors from the fishing ports gave the persevering governor a pretext for reconvening his Assembly. By a majority of one vote the scheme was put through, and in a few days the colony was aglow with martial enthusiasm. Aid was asked from the other colonies, but only Connecticut and Rhode Island responded with assistance. The main burden fell on Massachusetts. Shirley's next difficulty was to find a capable

leader, for, since there had been no military operations of consequence for nearly thirty years, there was no one whose military experience qualified him for the appointment. The main point was to secure a popular man, capable of executing a set plan; for, as Shirley deemed himself a born strategist, he proposed to leave nothing unplanned in advance. All that was required was a man who would have the confidence of his men and would do as he was told. The choice fell on William Pepperell, a merchant of Kittery, in the Maine settlements, one of the most popular men in New England. Pepperell knew absolutely nothing of military tactics, but, since in this respect he was no worse off than the others who were available as leaders, the choice was well enough, and, as it afterward turned out, was an extremely fortunate one. In the course of a few weeks some four thousand men were got in readiness and embarked in some ninety vessels of various sizes and conditions. So little ordnance was available that a couple of French cruisers might have easily captured the whole expedition; hence Shirley took the precaution to summon the British West Indies fleet as a convoy. But as this did not

directly in the harbor entrance threatened Warren's force; and if he successfully passed this fortification his fleet would be exposed to a destructive fire from the Grand Battery, which was situated on the further shore, directly facing the entrance. Warren, therefore, reconsidered his proposal and remained outside. A fortunate reconnaissance around the north shore of the harbor drove the French out of the Grand Battery and rendered matters much simpler for the attacking force; but a night attack on the island battery failed ingloriously. Warren's fleet captured the French man-of-war *Vigilant*, bearing stores and reinforcements to the garrison; supplies began to fail it, and the governor, Duchambon, and the intendant, Bigot, were not men to do much toward dissipating the general gloom. Toward the close of June, therefore, the garrison were willing to surrender, and Duchambon sent proposals to the besiegers. The terms were promptly accepted. The prisoners were to be sent home to France, under parole not to bear arms against Great Britain for the space of a year. Fortune had favored the colonials in every way. Pepperell and Warren were men of strangely different temperaments, yet both worked in commendable harmony; their troops supported them with enthusiasm. The garrison, on the other hand, although strong enough in numbers to have offered a much more vigorous resistance, were unfortunate enough to have their cause intrusted to a couple of incapable officers, who made the worst rather than the best of every reverse.

For the time being, Pepperell and Warren jointly governed Louisburg. They retained their forces as a garrison till troops could arrive from England. Shirley made haste to come up from Boston and view the successful culmination of his audacious plan; for a plan which contemplated the capture of America's strongest fortress by a host of untrained volunteers was, in its inception, certainly not lacking in audacity. France was profoundly mortified, not without reason, while the British authorities forthwith proceeded to shower honors on both Warren and Pepperell as well as

to tender Massachusetts reimbursement for the whole cost of the expedition.

The capture of Louisburg served to stir Shirley to more ambitious projects. He planned the complete conquest of New France, and asked authority and assistance from the home government. This was readily promised, and Massachusetts proceeded with its preparations for a combined military and naval campaign against New France. But as the summer passed rapidly and no fleet arrived, Shirley decided to make the best of matters by sending off the land force alone with the idea of at least securing the French post at Crown Point and thus gaining control of the Lake Champlain route. But the expedition was no sooner under way than tidings arrived that France was preparing a gigantic expedition for the recapture of Louisburg and a later assault upon Boston. As the report seemed reliable, Shirley hastily recalled his expedition against Crown Point and mobilized the whole disposable resources of Massachusetts in his coast towns. As a matter of fact, the report proved true enough. France had been greatly chagrined at the loss of Louisburg, and it seemed that, unless its recapture could be accomplished, all hope of recovering Acadia must be abandoned. Not only this but the St. Lawrence route to Quebec would be rendered permanently unsafe. The French authorities, therefore, concentrated their European fleet at Brest, and, after eluding the British squadron, this proceeded to join the French West Indian fleet at Chebucto, now Halifax. But stormy weather delayed the European vessels, and the West Indian squadron, after waiting in vain at the rendezvous for several weeks, set off for home. The whole plan failed.

Meanwhile the French at Quebec and Montreal had not been idle. Raiding parties were sent once more to ravage the New England frontiers, and with the usual success. In the autumn of 1746, a force of French and Indians under Rigaud de Vaudreuil surprised Fort Massachusetts, in the northwestern corner of that colony, and took the slender

garrison prisoners after they had made a spirited but hopeless resistance. In the following year a similar fate met the post at Saratoga, while the border settlements of New Hampshire were made to feel the merciless strength of the French arm. Similarly in Acadia, desultory attacks continued to be made on Annapolis and the smaller English posts until a strong force, sent up from Massachusetts, arrived on the scene.

In the summer of 1748, news arrived that negotiations for peace had begun, and after tedious deliberations the Peace of Aix-la-Chapelle was signed in October. In Europe, France had been able to hold her own and was, in consequence, not willing to agree to any disadvantageous terms; in fact, a mutual restoration of all conquests was demanded. But as this meant the restoration of Louisburg, England was at first reluctant to acquiesce. But as Massachusetts and the other New England colonies were heartily tired of border warfare and clamored for peace, the position of the home authorities was an exceedingly difficult one. To surrender Louisburg would be grossly unfair to Massachusetts after its brilliant exploit; France, however, would make peace on no other terms. In the end, Louisburg was restored, much to the disgust of the colonials. Only absolute necessity could condone this action, for it at once reopened the whole Acadian question and placed it where it had been before the outbreak of the war.

For the eight years succeeding the conclusion of the Peace of Aix-la-Chapelle, nominal peace existed in America. But it was a very hollow truce at best. Both parties were firmly convinced that a desperate conflict alone could ultimately settle the questions at issue between France and Great Britain in North America; both were as equally convinced that this struggle could not be long delayed. The questions at issue one may group generally under two main heads,—those which concerned Acadia, and those which had to do with the western territories.

When the treaty of 1748 was drawn up, it was felt that some pronouncement upon the interpretation of the term

“Acadia” should be made; for, although thirty-four years had passed since the Peace of Utrecht had ceded to Great Britain “Acadia conformably to its ancient boundaries,” both sides held as firmly as ever to their respective contentions as to how far these boundaries extended. It was decided, therefore, to provide in the Treaty of Aix-la-Chapelle that a joint commission should meet in Paris in an endeavor to reach some agreement, or to effect at least some compromise between the conflicting claims. In due course the commission assembled, but it did not take many sessions to make it clear that neither France nor Britain was willing to concede sufficiently to render any compromise possible. So the commission, after a few stormy sederants, broke up, leaving the whole matter just where it was.

Thus, as far as Acadia was concerned, the French had lost nothing. With Louisburg back in their hands and their old claims still intact, the old tactics of intrigue among the Acadians were once more brought into play. The British government about this time, however, awoke to the fact that, unless some strongly fortified post could be established in Acadia to serve as a counterpoise to Louisburg, the French propaganda would continue; therefore the decision was reached, in 1749, to fortify Chebucto. Its value as a safe harbor had been made manifest by the D’Anville episode of three years previously; it was now taken in hand by British engineers, and, with the expenditure of a large sum, made a post of considerable strength. Halifax, as Chebucto was henceforth called, became, instead of Annapolis, the British headquarters in Acadia, and soon gathered under the shelter of its fortifications a thriving population of several thousands. The establishment of this new fortress led the French emissaries among the Acadians and Indians to redouble their efforts, and no pains were spared to make it unsafe for unprotected British settlers to venture beyond the immediate precincts of the fortified posts. Likewise, attempts to induce emigration to Île Royale were renewed and with some degree of success, for

in 1752 upward of two thousand appear to have acceded to the persuasions of French emissaries and abandoned their Acadian homes. Still there remained nearly ten thousand, scattered in various hamlets throughout the Peninsula. That the few hundred men in garrison at Halifax and Annapolis could exercise no controlling influence over this population so widely scattered was perfectly clear, and it was the aim of the French missionaries to make things so uncomfortable for the British that they would find it the better policy to withdraw from Acadia altogether, rather than accept the harsh alternative of keeping up an expensive military establishment in the colony. Among the many emissaries who served the Bourbon cause in the work of stirring up both peaceful settlers and relentless savages against an authority which gave them no flagrant cause for hatred, perhaps the most untiring was the Abbé Le Loutre. That this vigorous cleric devoted the bulk of his energies to the nefarious task of inciting the Micmac Indians to give the British authorities every conceivable trouble has been abundantly proved by Parkman, whose investigations of the documents and correspondence relating to Acadian affairs at this period have served to place the truth of his serious charges beyond all question. Perhaps Le Loutre's most audacious exploit was the burning of the little Acadian settlement at Beaubassin by his Micmac and Acadian followers in 1750. The British authorities had decided to establish a garrison there, in order more effectually to control the northern part of the Acadian peninsula, but Le Loutre determined that if a garrison were posted at Beaubassin the Acadians must be induced to migrate into the territories claimed by the French, further north. Failing to induce them to do this, his force set fire to the settlement and laid waste the surrounding district, thus compelling migration. The British established a fortified post on the spot, while in hot haste a force of French troops was sent from Canada to erect and fortify a post at Beauséjour, on the French side of the disputed line. The respective garrisons maintained

a close watch upon each other. The Acadian question had now become a critical one; no compromise seemed within the bounds of possibility, while a mere accident might produce a local clash which would involve not only the French and British in North America, but also the nations of western Europe in a general war. The Acadian question had become a matter of European concern.

But it was not out of the developments in Acadia that the conflict was eventually to precipitate itself; for while both countries looked upon their claims to the maritime territory as too important to admit of the slightest recession, still there was a much more important issue between them; that of the western territories. Ever since the time of Frontenac, the French authorities in Canada had been keenly alive to the desirability of controlling the great western trade routes to the headwaters of the Ohio and the Mississippi. It was to this end that trading posts had been successively established at Cataraqui, Niagara, Detroit, Mackinac, and even on the lower waters of the Ohio. By priority of possession the French had certainly made good their claims to the territories westward of any line which

1749, despatched one of his trusted lieutenants, Céloron de Bienville, to the territory in question, partly with a view to finding out its possibilities and partly to take a formal possession of it in the name of the French sovereign. Bienville performed the latter part of his task with vigor, dotting the country with leaden plates, bearing the insignia of France, in token of possession. On his return, he reported that the territory would be invaluable to the contestant first establishing its claims, but that, owing to the influx of British traders into the region, only the immediate occupation of the territory would secure it to France. But Galissonnière was recalled before any measure looking to the possession of the territories could be devised. His successor was La Jonquière, an older man, but not inferior in vigor and ambition. La Jonquière had instructions from his superiors to spare no means, short of war, to drive the British from Oswego and to establish French suzerainty in the west. The authorities of Virginia and the other British colonies were not less alert and active, and encouragement was freely given to those who sought permission to trade along the headwaters of the Ohio; in fact, a company known as the Ohio Company had already been formed under Virginian auspices to exploit the region. La Jonquière was now fully convinced that France and Great Britain would sooner or later come into collision, and, in order that French troops might be moved to the upper Ohio with rapidity, a new fort was erected at La Présentation, now Ogdensburg, on the St. Lawrence, and the old posts at Cataraqui and Niagara were repaired and strengthened. But amidst these military activities La Jonquière had, through his private avarice, made himself many enemies, among them, leaders of the Jesuit order. Consequently he found that his military activities were made the basis of all manner of complaints to the home authorities on the part of these opponents, who charged openly that his zeal in the west was prompted only by a desire to establish lucrative trading posts for the benefit of his own friends and to his

own personal enrichment. While the governor had very probably a genuine desire to serve the best interests of his sovereign in the west, he gave grounds for the charges by the fact that, although his salary was insignificant, he managed during his short stay in the colony to amass a large fortune. At his own request he was recalled in 1752, but, broken down by mortification at the outcome of his plans, he died at Quebec before his successor could arrive.

The new representative of the French crown in Canada, the Marquis Du Quesne, had been well coached by Galissonnière as to the true interests of France in North America, and came out to the colony with the firm determination to see these thoroughly safeguarded. Du Quesne was not without ability; he possessed a dogged will and an uncompromising spirit, which augured well for a speedy clash with any opposing interest. Furthermore, the home government had given him explicit instructions of an aggressive nature which bore unmistakably the earmarks of Galissonnière, and these instructions he lost no time in carrying into effect. The erection of a chain of posts to connect

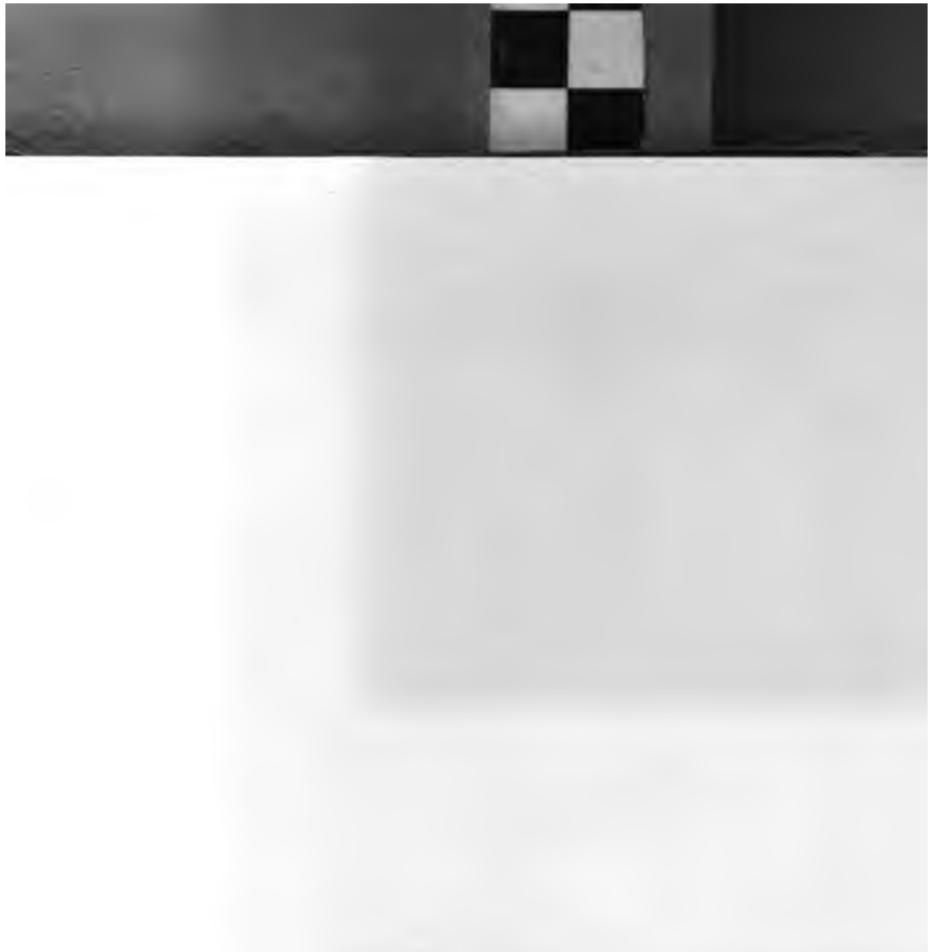


Colonel the Honorable George Townshend,
first Marquis Townshend.

*From the mezzotint by McArroll after Hudson, in the
Emmet Collection.*



Louis Joseph, Marquis de Montcalm.
*From private plate etched by H. B. Hall in 1865,
in the Emmet Collection.*



these two colonies were not yet definitely fixed. Pennsylvania with its dominant Quaker population, might reasonably be counted upon as likely to offer no decisive resistance to French encroachments; Virginia, on the other hand, with the fiery Dinwiddie at the head of affairs would certainly endeavor as best it might to prevent any consummation of the French plans.

Du Quesne was determined to be first on the ground, and, as soon as the spring of 1753 opened, despatched a considerable force to commence work on the line of forts which was to hem in the British between the Alleghanies and the sea. Of these posts there were to be four in all. The first was established at Presqu'Île on the southern shore of Lake Erie, the second at French Creek, some miles inland, and to this latter the name of Fort Le Bœuf was given. From this point a descent in canoes could be made along French Creek to the Alleghany, where the third post, Venango, was constructed, and hence the Alleghany permitted an easy journey to its junction with the Ohio, where the final establishment was to be made. As it was extremely desirable that the whole work should be completed before any action on the part of the British colonies could be organized, work on the first three posts was pushed on with tireless energy during the whole summer; and by the time winter had set in these had been completed, while everything was in readiness to proceed with the erection of the final post on the opening of the following spring. For this purpose about three hundred men were kept in garrison at Presqu'Île throughout the winter.

Meanwhile, traders had hurried to Dinwiddie with news of the French advance, and application was at once made by the governor to the home authorities for permission to oust the French from their new positions. This was readily forthcoming, but before means could be had to equip a force in Virginia the Assembly had to be convened. This was done without delay, but as was too often the case the members fell into disputes regarding the way in which

means could be best procured and valuable time was wasted. Dinwiddie determined to use the interim which winter afforded to despatch an officer to the French posts, with a formal demand for their evacuation, and to make a formal assertion of the British claims; and this task he intrusted to George Washington, then a youth of twenty-one, who held the rather pretentious title of adjutant of his majesty's Virginia militia. With some half-dozen guides and interpreters, the dauntless young officer made his way to Fort Le Bœuf in the depths of midwinter, and delivered his ultimatum. He was treated with characteristic French courtesy, but was given answer that the garrisons were in possession by order of the Bourbon king, and by his orders alone could they be withdrawn. With considerable difficulty and no little danger, Washington and his companions made their way through the forests back to the Virginian capital, with this suave French defiance, to find that the slow-moving Assembly had at last given its assent to the governor's plans. Dinwiddie had urgently asked assistance from the other colonies, but none showed any concern. The redoubtable Shirley, of Massachusetts, however, always

he had constructed a rude shelter, to which he gave the name of Fort Necessity. And none too soon, for the French forthwith advanced from Du Quesne and proceeded to dislodge him. A vigorous assault, lasting throughout the greater part of a day, brought the little garrison to its knees: Washington opened his glorious military career with an inglorious reverse. Next day, 4th of July, 1754, the little force marched, in accordance with the terms of its surrender, back to Virginia; the first clash of arms in the gigantic struggle for a continent had occurred. The French had, for the time being, made good their pretensions, and the vast expanse of territories west of the Alleghanies knew no banner but the *fleur-de-lis* of the Bourbons.

Meanwhile, under instructions from England, a conference was being held at Albany by delegates appointed from the various colonies with the idea of concerting measures for the common safety. United action appeared essential, not alone to repel the encroachments of the French, but in order to secure the neutrality, if not the support, of the Indians in the impending struggle. From this conference very little of importance resulted. Under the inspiration of Benjamin Franklin, one of the delegates from Pennsylvania, the conference adopted a tentative project of union providing that for certain specified objects, including common defence, the joint interests of the colonies should be intrusted to a Grand Council elected by the popular branches of the various colonial Assemblies. But to put the plan into practice it was necessary to have the assent both of the home government and of the colonial Assemblies concerned; and from neither quarter was this assent forthcoming when asked. To the British authorities the project was distasteful, as tending to stimulate the democratic tendencies of the colonists: to the colonial Assemblies it failed to appeal, since it appeared to them but a new means of British concentration.

The disaster at Fort Necessity was a bitter humiliation to Dinwiddie, the more so since those of his brother

governors who had refused to assist him at the outset now chuckled over his failure. From them he could count on no assistance, nor did the slender military resources of the Old Dominion afford much hope that the French could be effectually dislodged from the Ohio valley without assistance from the home government. So Dinwiddie appealed urgently to London for both men and supplies. And not in vain. The English ministers, fully alive to the situation, made haste to despatch a force of a thousand regulars, under the command of Major-general Edward Braddock, to the assistance of the energetic Virginians and to give assurance of further aid in case such should be required. Although at the same time pacific assurances were given to the French authorities, the latter did not neglect to strengthen their forces in Canada. During the course of 1755, nearly three thousand men, under the leadership of Baron Dieskau, were transported to Canada, despite the vigilance of the British fleet, and safely landed at Quebec and Louisburg. At the same time, Du Quesne, whose health now began to fail, gave place to a new governor, Pierre François de Vaudreuil, son of a former governor of New France. Popular vigor,

colonies were to undertake two offensive operations, the one through the valley of the Mohawk to Lake Ontario and thence to Niagara, the other against Crown Point. Of these expeditions, the former was to be placed in charge of Shirley himself, while the latter was to be commanded by William Johnson, of New York. Both were to start from Albany. Finally, an expedition from Halifax, with Colonel Monckton of the regular forces as commanding officer, was to drive the French from their post at Beauséjour in the disputed Acadian territory. The successful issue of these expeditions would, it was hoped, force the French to confine themselves within their proper sphere, according to the British interpretation of boundaries. Had the resources and capabilities of the respective British leaders been at all commensurate with their ambitions and confidence, the looked-for result might have been achieved; it was far otherwise, as will be seen by a consideration of the operations of the expeditions.

The expedition against Fort Du Quesne, the most important of the four, commenced its march under decidedly unpromising auspices. Its commander, Braddock, was in many ways a capable officer, as British generals went in those days of the eighteenth century before Pitt assumed the direction of affairs. He was not lacking in personal courage; of this, in fact, he had more than most men of his time, nor could anyone justly question his stern fidelity or high sense of honor. As for service in European warfare, he had seen more than his share, not without marked credit to himself. But his inordinate self-confidence, his blunt untactfulness, his sneering underestimation of the difficulties of forest warfare, as well as his characteristic notions as to the superiority of regulars over militiamen—all these presaged difficulties, if nothing worse. From the very outset, the expedition found itself hampered by want of transport facilities, for it had been expected that these would be furnished by the colonists of Pennsylvania. But the Quakers had no heart in the whole affair, and even the mighty influence of Franklin did not suffice to obtain more than a

moiety of the necessary conveyances. Even after a considerable portion of the baggage had been left behind for this reason, the expedition was still overburdened and made its way with exasperating slowness. Thus there was no dearth of time for bickerings between the regular and colonial officers, who seem to have despised each other with mutual cordiality; while the incessant drilling and disciplining of the militiamen, upon which Braddock insisted with unpardonable obstinacy, wore out their tempers and exhausted their enthusiasm. Against all this, Washington, who served on the general staff, protested strenuously, but to little avail.

By the beginning of a sultry July, the expedition had reached the Monongahela not far from Fort Du Quesne and passed the stream in safety. Braddock had fully anticipated opposition at this point, and had taken all necessary precautions to protect his force. But not a Frenchman appeared. This lack of opposition, however, was no intentional oversight on the part of the Du Quesne garrison; for, on the receipt of information as to Braddock's advance, Contrecoeur, who commanded the fort, had detached a

scores. Volleys of musketry and mighty salvos of artillery effected woeful damage to the trees, but harmed very few of the sheltered Frenchmen and Indians. In the whole annals of military history there is scarcely a grosser instance of fatuous blundering or of more unpardonable blindness to the plain demands of a critical situation. Not even the furious efforts of Washington could bring order out of the unparalleled chaos. The pitiful details of the succeeding rout, the frenzied retreat, in which Braddock himself was shot down, the helter-skelter abandonment of baggage, arms, guns, and papers may here be passed over. On Braddock's death, Colonel Dunbar succeeded to the command and managed to lead the pitiable band of stragglers back across the frontier of Pennsylvania. On the French side, the dashing Beaujeu met his end, a serious blow; in rank and file, however, their total loss was comparatively slight.

In Virginia, whence the largest contributions in militia and supplies had come, the disaster was bitterly felt; but the buoyant Dinwiddie did not allow chagrin to stay his preparations for renewing the fight at the earliest possible opportunity. In the meantime, however, the energetic governor found himself fully occupied with the task of protecting his own frontiers, for the calamity on the Monongahela had left these open to the full fury of the enemy.

The second expedition, that against Niagara, had in the meantime effected its rendezvous at Albany. About one thousand five hundred militiamen made up the force under the personal command of Shirley, who now for the first time obtained the long-sought opportunity of showing his skill as a tactician. The expedition proceeded through the valley of the Mohawk and across the portage—near the present site of Rome, N. Y.—to Oswego, on the southern shore of Lake Ontario. It was Shirley's intention first to secure possession of Fort Frontenac across the lake, whence a trip of five days by canoes would take his force to Niagara. But on arrival he found that the astute French had, from the papers captured among Braddock's baggage, learned

of his intentions and had taken the precaution to reinforce Fort Frontenac in such way as to make its capture an extremely difficult matter. Nor could Shirley very well proceed to Niagara with the garrison at Frontenac in a position to cut off his communications by way of Oswego. There was therefore nothing to do but abandon the main objects of the expedition, for the time being at any rate. So Shirley set his men at the work of converting the defenceless trading post at Oswego into a strong fort. Toward autumn he left this in charge of about seven hundred men and with the rest of his force retired to Albany, whence he pushed on back to Boston and resumed his civil duties. From every point of view Shirley's expedition was an utter failure and a rude shock to his unbounded ambition. The net result of the whole operation had been to leave an inadequate garrison in a perilous position, where it could be besieged more readily than succored, and to invite the crowning disaster of the following year.

From its suitable location, Albany had likewise been made the starting point of the expedition against Crown Point.

the end of August before Johnson reached the foot of Lake George, by which time Dieskau had reached Crown Point and pushed on down with the intention of attacking his opponent's rear. Encamped at the foot of the lake, Johnson learned of Dieskau's approach, and detached a force of a thousand men under Colonel Ephraim Williams to thwart the French plans. But Williams, less than three miles from the main camp, fell into a well-laid ambush which Dieskau had speedily prepared. A sharp encounter cost the Massachusetts colonel his life and sent his shattered force in headlong rout back to camp. Dieskau was not slow to follow up his advantage, and in the afternoon of the same day assaulted Johnson's camp on the lake. But the latter's forces had utilized the intervening hours well in preparation for an immediate attack, and repulsed it with heavy loss to the attacking force. Dieskau himself was wounded and taken prisoner, while his force retired to Crown Point and to their neighboring fortress of Ticonderoga. Had Johnson followed up his success, these French posts on the lake might have been secured, but this he failed to do, preferring to await reinforcements. When these arrived, winter was at hand and it was decided to defer any further offensive operations until the next spring. Meanwhile, the forces had been employed in the erection of a fort near the site of the camp at the foot of Lake George. This was named Fort William Henry. When it was completed, a garrison was left in charge, and the surplus troops were marched back to Massachusetts and New York to be dispersed to their homes. The authorities in England regarded Johnson's work with favor, gave him a grant of money, and made him a baronet. The whole affair, however, was a failure enlivened with one incidental success, which, however brilliant, gave the British cause no tangible advantage whatever.

Of the four expeditions, that against Fort Beauséjour in Acadia had the least difficult task before it. For this exploit Shirley had mustered several New England regiments at

Boston, whence they were transported to Annapolis. From there, after a short delay, the expedition, accompanied by part of the regular garrison, sailed up the Bay of Fundy to within sight of Beauséjour and effected a landing without opposition. Colonel Monckton, of the regular troops, commanded, with Winslow, of Massachusetts, as his chief subordinate. The fort was in charge of Duchambon de Vergor, who owed his position, it seems, more to his influence in high places than to any merit of his own. With him was the indefatigable Le Loutre and his horde of Micmacs, but expected reinforcements from Louisburg had not arrived, and the garrison was in no condition to withstand successfully the superior numbers brought against it. After a sharp cannonade, the besieged agreed to capitulate and were forthwith transported to Louisburg, under parole not to serve for the space of six months. The fort was rechristened Fort Cumberland. The British were now in possession of the disputed territory, and one of the four expeditions had achieved its object.

The capture of Beauséjour had raised the difficult prob-

the ultimate result that it was decided to adopt the extreme measure of expatriation as the only solution of the whole problem. Nor was the carrying out of this decision easy. For if the Acadians were to know what was contemplated, they might assuredly be expected to defend their homes with vigor. Arrangements were therefore made for the despatch of several detachments to the various settlements in order that the designs might be carried out before any concentrated movement on the part of the people could take place. On arriving at Grand Pré, Chipody, and the other Acadian hamlets, the respective commandants of these detachments summoned all the male inhabitants of the community into the parish churches, alleging that important orders were to be communicated to them. In most cases the people promptly acceded; and when securely within the building found that they were held there under guard until arrangements for the deportation had been perfected. All were allowed to gather what they might of their personal effects; and these, with the Acadians themselves, were placed on board a number of vessels and transported from Acadia and dispersed here and there among the British colonies to the south. In these they were given lands and were more or less favorably treated by the people among whom they came. Some few made their way to the French provinces, but the number permanently expatriated ran well up into the thousands.

In the history of civilized warfare the student will find few more harrowing episodes than that in which a prosperous people were ruthlessly torn from their homes and dispersed among strangers in a strange land. Yet, withal, sympathy with misery must not be permitted to becloud or bewilder judgment. That the Acadians were not the peaceful and loyal folk which the sympathetic and generous Longfellow has with the pen of his genius pictured them, is beyond all doubt. For the widespread existence of rank sedition among them, unprincipled meddlers of the Le Loutre type were doubtless primarily to blame; yet the rank and

file who followed so willingly could hardly hope to escape the consequence of their disaffection. From the British authorities for twoscore years they had received the utmost consideration; they had reciprocated by manifestations of very ill-disguised hostility on every possible occasion. To the New Englander of the twentieth century, as he scans his early local histories, streaked page by page with the blood prints of butchering raiders both white and red, it is difficult to see how the expatriation of the Acadians can appear other than as a comparatively humane measure. That it was a military necessity was the unanimous opinion of those who represented British interests in the New World at the time, and it is not unnatural that the British authorities at home should have trusted the judgment of those most familiar with the facts. Doubtless there were some needless hardships which might have been avoided by more careful attention to the details of embarkation; the separation of members of the same family from one another was not a necessary incident of the general policy. But for this we must blame only *those whose lot it was to execute the painful task not un-*

CHAPTER VIII

THE CONFLICT TIME—(Continued)

FOR the campaign of 1756 both combatants made the most vigorous preparations. As has been said, France and Great Britain were yet nominally at peace, despite the bitter conflicts at their respective outposts of empire. But the frequent captures of French merchantmen by British cruisers finally goaded the Bourbon monarchy into an open declaration of hostilities. The preliminaries had been passed: the real struggle for a continent had now begun. Both countries, it was clear, were in deadly earnest, as was shown by their spirited efforts to strengthen their alliances in Europe. Britain was especially fortunate in her league with Prussia, for the indefatigable Frederick proved himself able to hold the whole military power of France in constant check, and throughout the war gave Louis XV. scant opportunity to reinforce adequately the French contingents in America. It was this, together with naval superiority, as will be seen, which served most of all to turn the scales of military fortune in Britain's favor.

Politically speaking, Great Britain entered the final stage of her great duel under most serious handicaps. George II., old and phlegmatic, had an unfortunate infatuation for his German Duchy of Hanover: where its security was concerned, the salvation of Great Britain or of her growing colonial interests was a matter of minor importance; and this perversion of military perspective was likely to affect

injuriously the conduct of campaigns. The Duke of Cumberland, the younger son of George II., held the post of commander-in-chief of the army, but at Fontenoy he had signally failed at a critical moment to display military genius, nor did the nation put trust in his qualities of leadership. The prime minister, Newcastle, a bluff and blundering old aristocrat with little statesmanship and less enthusiasm, had surrounded himself with a coterie of colleagues, most of whom were on the same plane of mediocrity as himself. As far as official Britain was concerned, there was hardly a promise of military or political genius. Since 1748, moreover, matters had drifted sorrowfully; the army had been reduced in numbers; the navy had been neglected; political corruption had honeycombed every branch of both services.

France, to be sure, did not present a state of affairs in very marked contrast. If anything, political affairs were worse than they had ever been; two centuries of neglect had sapped the strength of the monarchy; the same period of arbitrary taxation, perversions of justice, centralization of

ramparts of Louisburg efficiently guarded the Atlantic highway to Canada. The British colonies, on the contrary, were exposed at almost every point; there were few frontier posts of importance, and even the strongest of these could offer little resistance to serious attack. The Anglo-Saxon pushed his settlements out on the frontiers, where he could not be effectively protected and where he invited disaster. From east to west the British frontier in America was vulnerable at almost every point. Moreover, the whole adult male population of New France was organized for war, whereas in the more peacefully inclined British colonies to the south it was often found well nigh impossible to enroll militiamen for aggressive action. Pennsylvania was in this regard a model of apathy, and even the raiding of its own borders did not always suffice to rouse the old Quaker colony to a sense of its obligations to Great Britain.

From the standpoint of military leadership, France found herself, for the time being at any rate, much the more admirably served, for the arrival of Montcalm had infused new vigor into her colonial military system. A soldier by genius and training, selected on his merits and on these alone, he was particularly well fitted for the all-important part which he was destined to play in this and succeeding campaigns. That France ultimately lost her American possessions was due in no wise to faulty generalship, for in Montcalm she had undoubtedly the ablest strategist of the whole war. Under ordinary circumstances, Governor Shirley, of Massachusetts, might have looked for a high military post, even if usage opposed the intrusting of vital interests to a colonial officer. For, although not a soldier by profession, Shirley had displayed no little genius for organization, especially in connection with the expedition against Louisburg in 1745. But in his expedition to Oswego, Shirley had utterly failed to show that his qualities of leadership in any way approximated his organizing ability, so that even in his own colony his loss of prestige

had been serious. At any rate, in the allotting of commands the home authorities left him completely out of consideration, the chief command being deputed to the Earl of Loudoun, with Generals Abercrombie and Webb as his chiefs of staff. These appointments were abundantly characteristic of the ministers who made them, for it may well be doubted whether a more indifferent trio were ever inflicted at a single blow upon the British forces in any part of the world. Although this supersession was a withering blow to the faithful Shirley, he went on with his preparations with no diminution in vigor, mustering the whole available forces of the northern colonies at Albany with a view to renewing operations against Forts Frontenac and Niagara. The new commander-in-chief was not able to leave London at once, but he despatched his two subordinates, Webb and Abercrombie, in advance; and in due course these arrived at Albany, where the latter took over the command.

Meanwhile, Montcalm had not been idle. A large force had been prepared for a descent in the direction of Oswego,



Major-general James Wolfe. *From the painting by J. S. C. Shaak, in the National Portrait Gallery, London.*



Jeffrey, first Baron Amherst. *From the painting by Thomas Gainsborough, in the National Portrait Gallery, London.*



fort. Bradstreet accomplished his mission with distinct success and had begun his return toward Albany, when he was attacked by a considerable force of French and Indians which Montcalm had sent around the rear of Oswego with a view to cutting off its communications and preventing relief of the garrison by reinforcements. Bradstreet cut his way through successfully, but the presence of a large force of French in the rear of Oswego gave rise at Albany to gloomy forebodings concerning the French projects. Shirley would gladly have marched at once to the relief of the post, but Abercrombie was unwilling to take the responsibility of any movement that had not been sanctioned by Loudoun. Much valuable time was therefore lost, the forces lying inactive between Albany and Lake George, varying the monotony of camp life by continual bickerings among themselves. Those encamped at the lake accomplished something in the way of constructing bateaux and sloops, while the rest were set to work improving the road from Albany to the lake shore. It was August when Loudoun finally arrived and found at his disposal some seven thousand ill-equipped and discontented men. The arrival of the commander-in-chief, however, did little to hasten the march of events, as far as the British were concerned. The French were reported to have at least six thousand men at Ticonderoga and Crown Point, and Loudoun held that any attempt to dislodge them must fail unless more troops were placed at his disposal. Montcalm, with ample sources of information at hand, was not slow to recognize that a man of Loudoun's calibre might reasonably be expected to utilize this excuse for inaction. So, regarding Ticonderoga as safe for the time being, he hastened to strike at Oswego. His Napoleonic rapidity of movement on this occasion stands out in vivid contrast to the unpardonable lethargy of his opponents and emphasizes strongly the superiority of French leadership during the earlier campaigns of the war. Hastening from Ticonderoga to Montreal, he had held a hasty conference with Governor

Vaudreuil, in which he secured prompt approval of his plan. Eight days later, he was at Fort Frontenac with all the forces the colony could spare, two regiments being brought from Montreal and one from Niagara. Besides these, he was able to count on the timely arrival of a formidable host of western *coureurs de bois* and Indians. By the end of the first week in August, he was able to face Oswego with an enthusiastic force of nearly three thousand men.

The post at Oswego consisted of three rough forts, of which Fort Ontario was counted the strongest. It was a star-shaped affair, built of hewn timbers set upright in the ground and closely fitted together. Across the river to the west was Fort Oswego, a rough stone post protected by earthworks. As it was thought that Fort Ontario would protect its eastern flank from attack, this post was left open on its eastern side. The third fort, called Fort George, was some distance away, and was too weak to be thought worth defending. At first it was deemed best to attempt the defence of the other two forts, but the opening operations showed that the timber post, while defensible enough

garrison, together with their munitions and stores, were carried to Montreal; what was left of the fort was razed to the ground. On the site the French, in irony, set aloft a tall cross bearing the Crusaders' motto: *In hoc signo vinces*, and turned the place over to the beasts of the wilderness.

The capture of Oswego was the most striking success which the French had yet achieved in North America. The victory on the Monongahela was portentous enough in its results, but it was at the best a fortunate accident due less to military skill on the part of the French than to a criminal lack of it on the part of their opponents. Besides, it was primarily an Indian victory, whereas the capture of Oswego had been boldly planned and skilfully executed by the French themselves, their savage allies taking little part. The successful issue of Montcalm's plan had driven the British from the west, and had enabled the French to concentrate their whole strength on Lake Champlain. On the British side, the blame for the disaster must not be placed upon the immediate defenders of Oswego, for the post could not have held out against such odds, but upon those at Albany who had withheld succor until it was too late. Webb had, indeed, made a belated attempt with a handful of men to relieve the post, but had not reached the head of the Mohawk when the news of its fall reached him. But his arrival would, in all probability, not have altered matters materially.

For the disaster at Oswego, Shirley was made the scapegoat, and with gross unfairness. To be sure, he had committed a grave error when, during the preceding year, he had established a post in a district where an attack could be delivered more rapidly than reinforcement could be despatched. But that a determined effort had not been made to save the situation was due to no fault of his; his preparations for the despatch of a strong reinforcement were well under way when the procrastinating Abercrombie arrived to take the control of affairs out of his hands. But Loudoun, Webb, and Abercrombie all joined in the chorus of criticism against

the doughty governor, with the result that the home authorities deemed his recall to England advisable. Eventually, he was given a minor administrative post in the Bahamas. Never have British interests in America had a more energetic and loyal friend: it was his misfortune to have planned more boldly than his means of execution safely justified.

During the winter of 1756-1757, Loudoun concentrated his ten thousand men along the route from Albany to Lake George; while Montcalm, with a force numerically somewhat weaker, intrenched himself snugly behind the ramparts of Ticonderoga. Along the borders of Pennsylvania and Virginia, the bitterest of partisan warfare kept the outlying settlements of those colonies in perpetual terror, but, save for several brisk skirmishes, no important operations were attempted by either leader. While the forces thus sullenly faced each other, with only the frozen expanse of Lake George between them, detached bands from both sides came into almost weekly conflict. Major Robert Rogers, with his intrepid "Rangers," scouted on several occasions to within sight of the French positions, returning sometimes

opponents should give him the opportunity for aggressive action either southward or elsewhere. And for this he did not have long to wait. Loudoun had little heart for an attack on Ticonderoga with the forces at his disposal; moreover, he had convinced himself during the winter's activity that the capture of Louisburg was much more to be desired than the ousting of the French from Ticonderoga. So he decided to leave a portion of his forces to maintain the *status quo* in the regions of the upper Hudson, and with the rest to set sail from New York for Halifax. At the latter point he proposed to await reinforcements from England and, escorted by a strong squadron, to move on the island fortress of the gulf. But the early months of summer came and went while Loudoun lay at New York awaiting convoy, and it was the end of June before he trusted to fortune sufficiently to set off with what ships he had. Halifax was reached safely, and Loudoun found himself at the head of nearly eleven thousand men. But a strong French squadron lay within the landlocked harbor of Louisburg, and Loudoun was not the man to attempt a blow unless the chances were decidedly in his favor. So he pursued his usual course of waiting for naval support, until the middle of August, by which time he was able to convince himself that the season for effective operations was too far gone to admit of the execution of his plans. Sheltering himself under the advice of a council of war, he reembarked his force for New York just in time to be out of sight when his long-awaited naval reinforcements arrived. All in all, it is doubtful if a more inglorious campaign has ever found its way into the military annals of any people. But this was not all. The miserable venture had stripped the upper Hudson of its quota of defenders, so that Montcalm was given his opportunity. Had supplies been to hand, he would doubtless have descended on the British lines with that promptness which was his wont, but it was July before the incompetents at Quebec forwarded him sufficient munitions and supplies to make any aggressive action possible. In the

interval, however, he found his energies fully taxed in the uncongenial task of humoring his Indian allies, to whom the season of enforced inaction grew intolerable. But by mid-summer he started with nearly eight thousand men, an unwieldy host representing all degrees of civilization and savagery, from the gilded officer of the Royal Roussillon to the painted Indian of the Ottawa valley. But for a decisive stroke there was nothing lacking; an adequate flotilla of bateaux and canoes had been provided, and the trip to the head of Lake George was quickly made. The British outposts were skilfully surprised and captured, so that no tidings of the French approach reached Fort William Henry until the attacking force was almost within striking distance.

Fort William Henry was built in the form of a bastioned square with earthen embankments, surmounted by a rampart of heavy timbers. On its exposed flanks an attempt had been made to strengthen it further by long trenches. Within the post was a garrison of some two thousand men, mostly militia, commanded by Lieutenant-colonel Munro, of the Thirty-fifth Regiment, a brave and

111. A Scotch veteran. Fourteen miles away at East Edward

demanded from Munro the surrender of the post, a demand which the latter refused in no uncertain language. With his forty-odd guns in position, Montcalm made woeful havoc among the timber battlements, yet for a full week the garrison gave forth no sign of weakening; on the contrary, they showed their dogged courage in a couple of energetic but unsuccessful sorties. It was only when smallpox broke out within the lines, and when the artillery ammunition was all but exhausted, that a council of war decided to accede to the French terms. These were that the garrison should be escorted safely back to Fort Edward, while the victors should possess themselves of the fort and its contents. It was arranged that the prisoners should march off the next morning; in the meantime, Montcalm detailed a regiment of regular troops to assure them protection against the fury of the savages.

Those who were presumed to be in authority among the Indian auxiliaries had given Montcalm their solemn assent to these terms of capitulation, but the latter knew the savage character too well to impose any great trust in such formal assurances. The pity is that his well-timed measures were not carried out as he seems to have desired. It had been arranged that the prisoners should be carefully guarded during the afternoon and evening of the day on which the capitulation had been signed, and that on the following morning they should march out to Fort Edward under a French escort. Some of the captured garrison, however, fearing violence in spite of these assurances, tried to get away unescorted before daybreak, and these had not gone far before they were captured by skulking savages and ruthlessly tomahawked. That this was the outcome was no fault of the French general, for those who undertook to get clear of the French lines in this manner did so at their own risk. But for his failure to provide an adequate escort for the main body of the captive garrison, when this set off later in the day, Montcalm has much to answer. Knowing, as he did full well, the extreme difficulty of restraining his

allies, he should have taken pains to provide such an escort as would have made an assault on its charge beyond possibility, instead of intrusting the task to a paltry two or three hundred. At any rate, the march toward Fort Edward had hardly begun before the Indians surrounded and began to harass the slow-moving column. Such accoutrements and equipment as many happened to have with them were taken by the savages; those who resisted were promptly stricken down, and in the general mêlée which followed the escort was cowed and powerless. The number of men, women, and children who were dragged out from the column and either massacred or carried off by the savages numbered well up into the hundreds; the remainder made their way in terror to the fort.

Montcalm and his officers rushed to the scene in hot haste and did all they could to restrain the Indians, but the havoc had been already wrought. To his eternal credit it must be said, however, that he spared neither money nor energy in his endeavors to obtain the release of those whom the savages had captured, in which endeavor he was, however, only partially successful. To the French general the

had outgeneraled and beaten their rivals at almost every point, and the fortunes of Britain in the New World had reached their lowest ebb. But the tide was now about to turn, for in the political changes which took place in Great Britain at this time the salvation of her colonial interests was being worked out.

With the opening days of 1758, the direction of British military affairs was taken from the hands of Newcastle and confided to the rising young statesman, William Pitt. "I know," said the young minister, "that I can save England, and I know that no other man can." As subsequent events served amply to show, this was the soberest of truths; for Pitt possessed a genius for organization and an eye for the selection of men such as nature has rarely combined in one man. Himself a young man, he placed his confidence in young men much as did the first of the Bonapartes when he astonished Europe with the power of regenerated France some decades later. Like Napoleon, Pitt cast seniority, precedent, and privilege to the winds, and proceeded to select his generals with an eye only to their individual capacities for the task in hand. Englishmen of the old school stood aghast at his disregard of military traditions, but in the armies of Great Britain his earnestness kindled an outburst of patriotic ardor which soon spread to the nation at large. One of Pitt's first official acts was promptly to recall the blundering Loudoun. Had the minister been given his own way, Abercrombie would have been similarly dealt with; but the political difficulties in the way of this seemed too great, and Pitt had to content himself with appointing, as Abercrombie's second in command, Lord George Augustus Howe, one of the ablest and most dashing officers of his day. Pitt rightly judged that Howe would be the guiding spirit of any command to which he might happen to be attached. Abercrombie and Howe were to attack Ticonderoga and expel the French from the region of Lake Champlain. For the expedition against Fort Du Quesne, Pitt selected Brigadier Forbes, a Scotch officer of merit and

energy, while the proposed assault on Louisburg was intrusted to Colonel Jeffrey Amherst, who was now raised to the rank of major-general. Amherst was known as an extremely cautious officer, but he had the tenacity of a bulldog, and in the continental wars had shown conspicuous ability to overcome difficulties. With him were to be sent three brigadiers, Charles Lawrence, who had already served with brilliancy in the attack on Fort Beauséjour a few years previously; James Whitmore, who proved a steady and reliable officer; and James Wolfe, the youngest and most promising of the three. Of good military ancestry, young Wolfe had entered the army while yet a mere boy, and had acted as adjutant at Dettingen when he was but sixteen. By personal merit he had reached the rank of lieutenant-colonel when he was twenty-two, an almost unprecedented rise even in times when promotions came quickly. In the annals of the Seven Years' War the name of Wolfe is the most deeply written; his selection stands forth as the most conspicuous tribute to Pitt's rare genius in the selection of men. Britain, for the first time in many decades, found her interests in America committed to men of vigor and worth.

France, with very good reason, continued to place her hopes in the gifted Montcalm, for the achievements at Oswego and Fort William Henry had given him a towering prestige alike in Old as in New France. Under him were De Lévis, Bourgainville, De Ramezay, and Bourlamaque, a quartette of able and experienced officers, loyal and confident in the capacity of their ^{the} civil authorities of their ^{the} support or en- ^{Canada,}

more than one occasion to serious difficulties. Vaudreuil, moreover, was proud and egotistic; he aspired to command the situation; and the instances in which his meddlesome interference shackled Montcalm's hands were not few. In the end the soldier usually had his way, but often not without a severe tax on his own patience. Clustered about Vaudreuil were as corrupt a coterie of official parasites as ever preyed on a luckless colony. There was the intendant, Bigot, who has been mercilessly pilloried by historian and novelist as the most insatiable rascal of the lot. That, in truth, he was, for as a public plunderer he has had few peers in the whole range of colonial history. The commissary-general, Joseph Cadet, erstwhile a Quebec butcher, but now through his peculations become one of the richest men in the colony, was but little less active in his raids on the public treasury. Neither the critical needs of the colony nor the honor of his sovereign proved any restraint on his unbounded avarice. Little less conspicuous on the infamous roll of official pilferers were Péan,—whose wife was the avowed mistress of the intendant,—Varin, Martel, Deschenaux, and a dozen others. All vied with one another in the nefarious work of converting public resources into private fortunes. It is not a matter of wonder that Montcalm found supplies most difficult to procure; a man of less resource would hardly have been able to take the field at all. The king found that supplies in the colony cost him ten times their price in France, yet so faithfully did the troop of official jackals stand by one another in covering up their depredations that little could be done by way of remedy. Montcalm protested with all his vigor to the minister of war that the loss of the colony was being made certain by those to whom its civil administration had been given in charge, but to no avail; for the time being, the culprits found ample shelter in the exigencies of the war.

Taking all in all, Montcalm had scant ground for optimism. The recent harvests had been poor, owing mainly to the absence of the *habitants* on military service, while the

British command of the seas rendered it increasingly difficult to procure supplies from France. The total population of the colony was somewhat less than eighty-five thousand souls, of whom less than fifteen thousand could be put in the field even for a short time. The regular forces numbered only eight regiments, together with a few companies of artillery. In point of numbers, Montcalm knew full well that his opponents had the advantage of at least two to one, yet he did not relax his zeal, although he now began to look with misgivings on the final outcome. Writing to the French minister early in 1758, he expressed the fear that "barring some unexpected good fortune, Canada must fall in this or the next campaign," but he acted throughout as if he felt absolutely confident of success, and thoroughly inspired his subordinates with the same spirit of optimism.

As has been pointed out, Pitt had in mind offensive operations against Canada along the four time-honored lines; the objectives being Louisburg, Ticonderoga, Fort Frontenac, and Fort Du Quesne, respectively; and although these operations were conducted for the most part contemporaneously, they may be best described each by itself.

For the attack on Louisburg a formidable array of regular troops was despatched early in the spring of 1758, under the convoy of Admiral Boscawen's fleet of forty armed vessels. General Sir Jeffrey Amherst was in command of the land forces of the expedition, being given as well general charge of all the operations in America. Boscawen was a "hard sea dog, but he could be counted upon who directed the land forces, and he could be con-

on to Louisburg, arriving there in the opening days of June. The "Dunkirk of the North," as Frenchmen delighted to call the fortress, was now much more strongly fortified than in the days when the sturdy Pepperell led his yeomen of New England against its ramparts, for since 1748 many millions of francs had been ungrudgingly bestowed on its works and equipment. Two miles of solid masonry, mounted with nearly four hundred cannon, encircled the four thousand French regulars and militiamen who now confidently bade defiance to all the hosts of England, Old and New. There were three or four places along the coast not far from the fortress where a landing might be attempted, and these Boscawen and Amherst immediately proceeded to inspect. The little bay known as Fresh Water Cove was finally selected, and the difficulty of landing the forces there, under cover of a feint by the fleet at another point, was intrusted to Wolfe. Although the cove was strongly guarded by a force of a thousand Frenchmen, strongly supported by artillery, Wolfe gallantly rushed his men to the strand, driving his opponents back within range of the city's guns. In due course the whole army was landed without appreciable loss and encamped in a semicircle around the fortress. Drucour, who commanded within the ramparts, thought it wise to withdraw all his outposts, abandoning even those batteries which commanded the harbor entrance and trusting to the efficacy of sunken ships to keep Boscawen's vessels outside. Amherst eagerly seized the abandoned points of vantage, and, running his trenches each day nearer the doomed town, kept up a merciless fire upon the garrison. A sortie from within was tried with desperate courage, but this was easily repelled, while an attempt on the part of a large force of Acadians and friendly Indians to break through the besiegers' rear was brilliantly thwarted. By the middle of June the British forces had advanced to within a few hundred yards of the outer ramparts, and the artillery duel for days was a terrific one. Some of the French vessels within the harbor were

set afire by bombs, and the flames spread to the buildings of the town. Gun after gun was dismounted by the accurate fire of the British artillerists; the barracks were demolished; a pitiless hail of shot and shell swept every part of the place night and day. Absolutely hopeless as the situation seemed, Drucour and his garrison defended themselves heroically, and his heavy guns did good execution amongst the ranks of his opponents. But by the last week in June the town was totally in ruins; all but two of his guns had been put out of action, and his officers urged him to agree to terms rather than expose his exhausted forces to the havoc of an assault. Amherst would accept nothing but an unconditional surrender, and to this Drucour very reluctantly acceded. The prisoners were forthwith transported to England, and the *fleur-de-lis* once more disappeared from the gulf. For the time being, a strong British garrison was stationed on the ground, but a couple of years later it was decided not to attempt any reconstruction of the works. What remained of the fortifications was demolished and the place abandoned. Thenceforth a struggling fishing village has served to mark the spot where the Bourbons

the inevitable causes of delay occurred; militiamen from the various colonies were late in arriving and were inadequately equipped when they did arrive. It was well on toward the end of June before Abercrombie and Howe were able to advance with their force of nearly fifteen thousand men, and July was at hand when they reached the head of Lake George and encamped on the spot where Fort William Henry had stood a little over a year before. It will be remembered that Pitt had no confidence in Abercrombie's abilities, but had put his trust in the probability that Howe would make himself the soul of the force, despite his subordinate rank. And in this the sagacious statesman was not mistaken. By his cordiality, energy, and rapidly acquired grasp of colonial conditions, Howe soon became the most popular officer in the expedition and managed to infuse a great deal of his own enthusiasm into every branch of it. It was due largely to his energy that the force had made its march without greater delays. Little time was lost on arrival at the head of the lake before the force was under way toward Ticonderoga, and two days sufficed to bring it to the narrows where Lake George pours its waters over miles of rapids on the way to Lake Champlain. Here it was decided to land the forces, with the idea of pushing around to a suitable camping place west of the French position. The landing was effected without opposition, and the advance guards, piloted by Major Robert Rogers, pushed out into the forest. Howe, as might be expected, was with this very foremost detachment. They had not gone far, however, before the darkness of the dense underbrush caused Rogers to lose his way. Montcalm, in the meantime, had sent a body of three hundred men under Captain Langy to feel the English advance; and in the gloomy forest, where midday differed little from midnight, the two detachments came into touch with one another. But Rogers was in no wise bewildered by this turn in affairs; his men rallied, and after a sharp skirmish captured most of Langy's force. But a very disastrous success it was, for among the few slain

was the gallant Howe, who had been shot through the heart at the first volley. The overpowering damper which Howe's death placed on the whole expedition is not easy to imagine. The soul of the army seemed to have vanished, and enthusiasm gave place to consternation; for the expedition had come to recognize in Howe the real leader of the operations, and few there were who had any confidence in Abercrombie's unsupported direction. The taking off of one man seems to have been the undoing of the whole project.

Another day brought the force to a position on the northwest of Ticonderoga. The French fort itself was a substantial stone structure, but Montcalm had not trusted to this alone. Across the peninsula he had erected a zigzag parapet of timber and earth, and behind this the French were to make their first stand. To render an assault on this parapet difficult, Montcalm had covered the ground for some distance in front with felled trees, intertwined boughs, and all sorts of obstacles. Behind the intrenchments were his trusted lieutenants, Lévis, Bourgainville, and Bourlamaque, with about three thousand regulars and militiamen, most of whom were seasoned veterans. While the French



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except that he reckoned well with the chance of having a blunderer in front of him who would either attempt an assault and be repulsed, or who, if he attempted a siege, would neglect to adequately cut off Ticonderoga from Crown Point.

Abercrombie had taken plenty of artillery from Albany, but had left it all at his landing place six miles back. There was nothing especially blameworthy in this; in fact, there would seem to be no reason why he should have exposed his heavy guns on a forest trail until he had placed his army in secure position and had decided whether the French position was to be stormed or besieged. To enlighten himself on this point, he directed his engineers to report on the strength and vulnerability of the French position. It is a rather striking commentary on the efficiency of the British engineer corps at this time to find that the "chief engineer" accompanying the expedition was an untried youth who had been appointed to a lieutenancy less than six months before. This optimistic stripling reported that the parapet could be carried by assault; and as Abercrombie had in some way or other possessed himself of the notion that Montcalm was likely to be reinforced, he eagerly accepted this opinion as a basis of action. On the morning of the 8th of July the first assault was delivered, the whole force moving on the parapet in a compact bayonet charge. As might have been foreseen, the solidarity necessary for such an onslaught was rendered almost impossible by the broken ground and the obstacles mentioned, while the defenders of the parapet poured such a fusillade of musketry into the disordered ranks that the assailing forces, after attempting to reply with volleys, finally fell back, foiled. Had Abercrombie been capable, he would have accepted this conclusive proof of his error and would have changed his tactics. Had he ordered his guns brought up,—a matter of a few hours only,—the position was still open to siege. But to have sent his decimated forces again and again over the same ground when every assault meant merciless slaughter was

a persistence in error which cannot be adequately explained except on the joint grounds of ungovernable stubbornness and blind disregard of the value of human life. The six successive assaults between noon and nightfall of that inglorious day cost the British, in killed and wounded, upward of two thousand rank and file, yet no results were achieved. Even yet a siege was still open. With the guns at his disposal, Abercrombie could probably have pounded the French fortifications into débris within a few days at most, or, at the worst, he might have cut off his opponents' communications and starved them into submission within a fortnight. Even Abercrombie's acquaintance with civil conditions in France and Canada should have convinced him that to count on a scarcity of supplies within any French position was to reckon with a practical certainty.

But Abercrombie was not only a blunderer, he was a craven. With his effective forces still outnumbering his opponents four to one, with Montcalm obviously in no position to take the offensive, he thought of nothing but the rapidity with which his own retreat could be effected. His demoralized forces were hurried back down the lake and

these had failed and his forces were again unemployed, Colonel Bradstreet, who had successfully provisioned Oswego before its fall, and who had rendered very signal service in the more recent operations, urgently insisted that he be allowed to undertake the capture of Fort Frontenac. A council of war supported him, and, taking about three thousand men, he was soon on his way. Passing by the ruins of Oswego, he crossed Lake Ontario at its junction with the St. Lawrence, pounced on the fort, denuded as it was of most of its garrison owing to the pressing exigencies of the French in other quarters, and effected its capture without much difficulty. About a hundred prisoners were secured, together with a small quantity of stores; the fort itself was demolished. It was not thought wise to rebuild Oswego, but the authorities agreed on the advisability of having some post west of Albany, if only for the purpose of holding the Iroquois in alliance, the disasters at Oswego and Ticonderoga having rudely shaken their fidelity to the British cause. Consequently a post, hereafter known as Fort Stanwix, was erected on the portage between the headwaters of the Mohawk and the lake, and this Bradstreet garrisoned, on his return, with about a thousand men. The success at Fort Frontenac was of some importance, for it not only somewhat rehabilitated British prestige with the Indians, but it broke a strong link in the chain of French communications between Montreal and the Ohio valley.

The fourth expedition—that against Fort Du Quesne—had been intrusted by Pitt to Colonel John Forbes. With him were Washington and Bouquet, the latter a capable Swiss officer who distinguished himself in the later Indian wars. The force at Forbes's disposal numbered well up into the thousands, his men being, for the most part, Virginia and Pennsylvania militiamen. Forbes decided not to follow the route taken by Braddock in 1755, but to move directly westward through southern Pennsylvania. Owing to his cautious methods, his progress was exceedingly slow, for he never moved without establishing secure bases as he

went—a procedure which contrasted very markedly with that adopted by his unfortunate predecessor of three years before. The French garrison at Fort Du Quesne was small, and Vaudreuil had sought to strengthen it by the despatch of Indian allies to its assistance. But the savages lent themselves very reluctantly to the tedious routine of garrison duty, and it required more influence than the French commandant could exert to prevent them from making off homeward. Forbes and Washington knew the Indian disposition well enough to conclude that the longer the attack could be delayed, the greater the chance of getting the savage auxiliaries of the French out of the way. Hence, the British expedition moved leisurely, and it was September before their final base was established, some fifty miles from the fort. At this point the rash impetuosity of one of the officers accompanying the expedition, Major James Grant, came well-nigh thwarting the entire project. Grant, with a thousand men, was intrusted with the task of reconnoitring the fort; but his incautious bravado led him to provoke a fight with the garrison, in the course of which he was badly

Pennsylvania felt themselves freed from the scourge of border warfare.

Thus, with the exception of the operations at Ticonderoga, the whole campaign of 1758 had been a succession of disasters to the French arms. In Europe, moreover, the flower of the army had been worsted at Minden, while their fleets had been driven from the seas by the brilliant victories of Boscawen and Hawke at Lagos Bay and Quiberon.

Canada, however, was seemingly secure, for the route by way of Lake Champlain was yet strongly guarded and Quebec was deemed impregnable to any force which might be brought against it. Both combatants recognized that the future of French empire in America would hinge on the ability of Montcalm to beat off his opponents at these two points. To justify his sovereign's hopes in this direction Montcalm strained every resource, but he had scant hope of success. Especially was he chagrined at the continued malfeasance of those in charge of the supplies, for he had convinced himself that Bigot, Cadet, and the other corrupt officials at Quebec would welcome the loss of the colony to France as a possible cloak to their peculations. Vaudreuil had not sunk so low in the slough of administrative iniquity, still he could not have been unaware of the course which things were taking. Montcalm implored the home authorities for reinforcements, but Frederick of Prussia, by his prodigious powers of recuperation, was keeping the armies of France in Europe fully employed. Even had it been possible to spare troops from the continental conflict, the British command of the seas would have rendered their transportation to America a matter of extreme danger. So that all Montcalm received during the winter was the assurance that the king relied on his zeal to save the colony with the forces already at his disposal. During the early spring, however, a flotilla of supply ships eluded the British fleet and managed to reach Quebec with a goodly store of munitions. But for this most welcome assistance, Montcalm would have found his situation most precarious.

In England, enthusiasm was at its height, and preparations for the despatch of over twenty thousand men were made during the winter months of 1758-1759. The British colonies in America were likewise besought to do their share, and most of them responded with alacrity. Massachusetts as of old came to the front with its contribution of nearly seven thousand, while even the phlegmatic and unmilitary Pennsylvania did itself justice, for the first time in its history, with its modest array of two thousand. All in all, a formidable host of nearly fifty thousand men of all ranks, regulars, volunteers, and marines, were to follow the plan of campaign which Pitt had marked out for the final effort in the struggle.

The strategy of the campaign of 1759 was distinctly pre-Napoleonic; that is to say, it distributed the available force to various points, giving each division its own objective rather than concentrated the whole array on several points in succession. This was the "orthodox" strategy of the eighteenth century, and was characteristic not alone of the French wars, but of the Revolutionary War as well. It remained for the great Cossack to teach Europe the effi-

of campaign for 1759 comprised three expeditions, one against Niagara, one against Ticonderoga and Montreal, and the third directly against Quebec. The first had a comparatively easy task, for Montcalm found it urgently desirable to withdraw most of his troops from the west for the defence of more vital points in the east. It set out from Albany, five thousand strong, under the command of General Prideaux, who was ably supported by Sir William Johnson. Johnson now, as when he had vanquished Dieskau four years before, was high in influence among the Iroquois, and rallied a considerable number of their tribesmen to the support of the expedition. Moving along the old route to Oswego, Prideaux left Colonel Haldimand to restore and defend the old post, and he pushed along the southern shore of the lake by boat and canoe until within striking distance of Niagara. Pouchot, the French commandant there, decided to defend his post, trusting to the arrival of assistance from Detroit and Mackinac. Although subjected to a vigorous siege, he held out very bravely for two weeks. Meanwhile, the French in the west had rallied such traders and Indians as could be quickly mobilized and had descended to Detroit, whence, with the garrison of that post, they hurried to Pouchot's assistance. On the approach of this force, Johnson, who was now in command, Prideaux having been killed during the siege, moved out to meet them. Disposing his forces with a shrewdness born of long experience in forest warfare, Johnson turned the flanks of the French and sent them in utter rout back to Detroit. Pouchot had now no alternative but surrender, and Niagara became for the first time a British post. French communications with the western countries were now cut off. While the siege of Niagara was in progress, a band of *habitants* and Indians under La Corne, a partisan, had ascended the St. Lawrence from the French fort at La Présentation—Ogdensburg—with the design of surprising the British force under Haldimand, which had been left to restore Oswego. The alertness of the commander, however, frustrated this attempt.

The expedition against Ticonderoga was given in charge to General Amherst with a force of about thirteen thousand. Amherst's instructions were to push through to Montreal as fast as possible, then to descend the river to Quebec in time to coöperate with the forces there. Montcalm himself was at Quebec, devoting his whole energies to the defence of his capital, but he had left French interests on Lake Champlain in capable hands when he intrusted them to his brilliant subordinate, Bourlamaque. With the latter were four thousand troops, considerably more than Montcalm himself had had at his disposal when he repulsed Abercrombie's misguided host of the preceding year. Amherst moved down the lake, effected his landing, and faced the historic parapets, now, if anything, stronger than before. Bourlamaque made no stir within, and the British scouts reported the position unoccupied. But Amherst was not given to any rash action on such information, and rightly concluded that the French had withdrawn within the stone walls of Fort Ticonderoga, knowing full well that no British commander would repeat an assault on the outer works and that an artillery bombardment would

vigorously in repelling any attack which he might make. Accordingly he waited until his men could construct a few armed sloops to assist his operations, a little saw mill at Ticonderoga being pressed into service for this work. The monotony of several weeks was relieved only by the courageous exploit of Major Robert Rogers, who pushed around the French rear and destroyed a number of French and Abnaki settlements on Lake St. Francis, returning safely but with some difficulty. Toward the middle of October, Amherst had his sloops in readiness, and mounting some of his smaller guns, set off for Île aux Noix. Encountering the French flotilla he demolished some of the opposing vessels, but found that Bourlamaque had utilized his time effectively in strengthening his position. As the season seemed too far advanced for a protracted siege, Amherst decided to withdraw his forces into winter quarters, especially since the news of the fall of Quebec had just reached him and there was no longer any urgent need of aggressive action. As matters later showed, however, it would have been much better had he kept Bourlamaque and Lévis fully employed during the winter months: his failure to do so gave the French their opportunity to attempt the recapture of Quebec.

Amherst's slow progress had thrown on Wolfe the onus of carrying the city alone, and it is to the immortal credit of the young general that in the hour of his overwhelming responsibility he was not found wanting in courage or confidence. Very early in the spring of 1759, Wolfe and his troops, escorted by the fleet of Admiral Saunders, had made their way to Halifax, whence, after a short delay, they had proceeded up the gulf, calling at Louisburg to pick up a part of the garrison stationed there. Wolfe counted in his command somewhat less than nine thousand men, regulars and colonial militiamen, when, late in June, his transports and convoy anchored off the Isle of Orleans in full view of the towering heights of Quebec. The city, for the most part, rested on the summit of a high ridge, two hundred feet

above the water's edge; that part which lay on the shore had been abandoned. Just east of the city a considerable stream, the St. Charles, empties into the St. Lawrence, while six miles further east the turbulent Montmorenci hurls its waters down the cliff. Between these points the shore is rather low, rising precipitously a short distance back from the water's edge. West of the city, towering cliffs overhang the water for miles, and here a small force could undoubtedly hold at bay many times its own number. The Isle of Orleans, a few miles below the city gave no special strategic advantage, and Wolfe was allowed to disembark here without opposition. The low-lying shore at Point Levis, directly across from the city, was likewise at his disposal, for the French had convinced themselves that British batteries stationed there could do little damage to the city twelve hundred yards away. To hold the shore between the St. Charles and the Montmorenci, Montcalm had made every conceivable preparation. Every available able-bodied man in the colony had been pressed into service, and these, with the regular troops, numbered about sixteen thousand. As Montcalm deemed the lines east of

arrival of Amherst should give the British the advantage in numbers. During July, however, Wolfe concluded that a position east of the Montmorenci might be seized, and this a portion of his force accomplished. Some batteries were put in position, but they did not serve to drive the French from their positions across the river. On the western bank of the Montmorenci, just where it tumbles into the St. Lawrence, Montcalm had established a strong redoubt, and this Wolfe decided to assault from two quarters. The forces stationed east of the Montmorenci were to ford the shallows below the falls, while troops were to coöperate with them direct from the Isle of Orleans. It is doubtful whether Wolfe confidently hoped for any tangible result from this operation, but his spirited soul chafed under the continued inaction and he felt that if an assault failed here it must fail anywhere. The assault was well delivered, and the French were driven from their redoubt. But when the assailants attempted pursuit, a hail of musketry from the crest of the ridge above decimated their ranks. With signal gallantry two regiments attempted to scale this ridge, but were mowed down by scores, and Wolfe very wisely withdrew them to the island, protecting their reëmbarkation as best he could. This failure disheartened the whole expedition, and August dragged on wearily, the ships and batteries keeping up a desultory bombardment which seemed to accomplish nothing. Wolfe himself lay on a sickbed and the entire failure of the expedition seemed imminent, for no hope was now held out of Amherst's coöperation. Montcalm was buoyant with hope and permitted part of his militiamen to return home for the harvest. It was at this point that Wolfe, tossing on his bed in a little farmhouse near the Montmorenci, decided to attempt a *coup* which proved to be the final and most brilliant success of the whole war. Though only half recovered from his illness, the general made a personal inspection of the cliffs west of the town with a view to selecting the most vulnerable spot. At Anse du Foulon, now called

Wolfe's Cove, he found a narrow path which zigzagged its way up to the plateau known as the Plains of Abraham. Could his forces be drawn up there, he felt that he could force Montcalm to battle on even terms. Audacious as the plan was, Wolfe decided on its adoption.

As a preliminary to the carrying out of his plans, Wolfe first abandoned his position east of the Montmorenci and increased his quota of troops at Point Lévis. Saunders's fleet was sent up the river to Cap Rouge to absorb, ostensibly, the energies of Bourgainville's forces, but in reality to carry the bulk of the forces to a point above the city whence they could be floated down in small boats by night to Wolfe's Cove. This move greatly perplexed Montcalm, especially since the camp on the Isle of Orleans appeared still thronged with soldiers. As a matter of fact, there were not many men there, but those who were took care to parade ostentatiously in sight of the Beauport lines.

The night of September 12th was selected for the *coup*, and during the day the mysterious movements of both troops and transports perplexed the defenders more than ever. Up and down the river they went, threatening to land at many

In an hour or more the foremost boats had rounded into the cove, and from the dark shore came a prompt challenge which one of the British officers answered in such a way as to completely disarm the sentry's suspicions. A few minutes later the advanced boats had touched the shore and their occupants had scrambled up the cliff to bayonet the small guard at the summit. As the misty dawn came the whole force was clambering up the zigzag path; an hour later, the rising sun looked down upon the red-coated regiments of Britain drawn up in battle array on the plains. Montcalm had spent the night on the Beauport shore, where part of Saunders's fleet had successfully feinted an attempt to land troops. As day broke, however, the French general became suspicious of these naval manœuvres and rode hastily to the city, only to find his suspicions fully verified. There was nothing to do but to summon his forces in hot haste from the Beauport trenches and move out to meet his adversary on the plains. Delay would give the British time to intrench and bring up their artillery; if attacked at once, the conflict might be prolonged until Bourgainville could come up on their rear from Cap Rouge. By eight o'clock the firing had commenced, and two hours later the whole French line moved out to a general attack. Wolfe allowed them to move within forty yards before he delivered his first volley. The effect of this was to check the French advance; it was followed by other volleys, which caused them to waver, then fall back. The command for the advance of the whole British line had just been given, when Wolfe himself fell, mortally wounded. His last act was to give orders designed to cut off the retreat of the French across the St. Charles. Montcalm sought to rally his fleeing battalions, but to no avail; pushed backward in the confusion toward the city, he was struck by a musket ball and carried within the walls only to die before the next morning.

The British command had devolved upon Brigadier Townshend, who, with wisdom, drew back his forces from the pursuit lest the approach of Bourgainville should find

his rear undefended. And none too soon, for the movement had hardly been accomplished before the French from Cap Rouge began to appear. But Bourgainville was convinced that it was too late to retrieve matters, and retreated as hurriedly as he had come. Within the city, Vaudreuil called a council of war. Some of the officers favored another stand; but others opposed it, and Vaudreuil was guided by their counsel. It was decided to withdraw the rest of the army out of the British reach, a small force being left in the city to make what terms it might. So with haste a force which still outnumbered its opponents made its way toward Jacques Cartier River. To De Ramezay, who was still in charge of the city, there was no alternative but capitulation, and on September 18, 1759, terms were arranged. In brief, the garrison was to be accorded all the honors of war; the troops were to be transported to France; the inhabitants were to be protected in all their property and privileges until such time as a treaty of peace should determine their status.

The surrender was accepted none too soon, for De Lévis and his forces, hurrying up from Montreal, had joined his

short rations and suffered greatly from the unaccustomed cold of an unusually rigorous Canadian winter. As spring approached, it became evident that De Lévis would not long delay an attack; late in April, the advance of his forces close to the city made the matter a certainty. Murray allowed his boldness to get the better of his prudence and reached the hasty determination to move out to meet his adversaries on the plains. On the snow-covered ground the two forces engaged in a desperate conflict, in which the French had decidedly the better of the day. Murray's forces were driven back into the city, losing some of their heavy guns and more than a thousand men in killed and wounded. The French loss, however, in killed and wounded had been almost as large, and the check De Lévis received prevented him, for the time being, from attempting further aggressive action. This engagement, properly called the battle of St. Foye, although more often termed the "Second Battle of the Plains," was one of the severest of the war. The British position was rendered very precarious by its result, and the forces within the city worked night and day on barricades in anticipation of a final assault. Both combatants anxiously awaited the opening of navigation, for with this might come naval reinforcements: the fate of the city seemed to hang upon the priority of their arrival. Early in May a single frigate, the advance guard of a British fleet, beat her way up the river. The other ships followed a few days later, and, having provisioned the town, proceeded up the river to demolish the French squadron which had brought De Lévis's force down from Montreal. The naval engagement was decisive, resulting in the entire destruction of the French vessels; and De Lévis, having now no choice but retreat, abandoned his camp and fell back toward Montreal.

The fourth siege of Quebec had come to an end; so, too, had French dominion in North America, for, although Bourlamaque still held the passage of the Richelieu, and De Lévis was still in possession of Montreal, whence

Vaudreuil had now transferred his government, the fate of the colony had been practically decided.

The fate of Montreal was soon settled, for Amherst had determined to move on the city by way of Oswego and the St. Lawrence rather than to undertake to fight his way inch by inch through the Richelieu. Embarking from Oswego early in August, he proceeded to Fort La Présentation, which promptly surrendered at discretion. Moving down the river, Amherst landed below Montreal on the 6th of September, and his troops encamped around the city, awaiting the arrival of some of Murray's forces from Quebec. Bourlamaque, meanwhile, had abandoned his position on the Richelieu and thrown that route open. By the 8th of September, 1760, a force of sixteen thousand men invested the defenceless town; and on the same day Vaudreuil, realizing the utter hopelessness of the situation, signed the convention which severed Canada from France forever. The terms were much the same as those received by De Ramezay on the capitulation of Quebec.

In Europe, the war dragged on with varying fortunes for three years more before the Peace of Paris confirmed the

CHAPTER IX

ACADIA

WHEN De Monts and Champlain turned their attention away from the little settlement at Port Royal in Acadia, Poutrincourt decided to assume the responsibility of fostering the infant colony. So, in 1610, the young Frenchman returned to the place, taking with him his son, Biencourt, and a few settlers. In the fall of the next year Biencourt sailed back to France for more colonists and stores, and when he returned was accompanied by the Jesuits Biard and Massé. A good friend of the Jesuits in France had bought them a share in Poutrincourt's enterprise. As the respective spheres of authority allotted to the priests and retained by Poutrincourt were not clearly delimited, quarrels soon arose between the two parties, but in the end these were amicably arranged. Difficulties, however, appeared from another quarter. The settlement at Port Royal was regarded by the English settlers in Virginia as an intrusion into the territories of that colony, and a force from the south, under the leadership of Argall, was sent northward to eject the Port Royal settlers. On his arrival, Argall found the settlement almost defenceless, for most of the inhabitants were off trading among the Indians. So the place was plundered and burned.

Shortly after this disaster the elder Poutrincourt died, but the work was taken up by Biencourt. With him was associated Charles de La Tour, a young Huguenot of ambition and ability, and the associated efforts of the twain

enabled the little settlement to make some progress. Biencourt and Charles de La Tour devoted their attention to Port Royal, while Claude de La Tour, father of Charles, established a new trading post at the mouth of the Penobscot.

Some few years later Biencourt de Poutrincourt died; whereupon Charles de La Tour despatched a memorial to the French king, setting forth that the deceased Biencourt had committed all his proprietary rights in Acadia to the two La Tours and praying that a commission might be issued by his majesty confirming them in their possession and appointing the younger La Tour governor of the struggling colony. In the meantime, the elder La Tour had been driven from his trading post at the Penobscot by an expedition from the Plymouth colony further south, and he it was who now undertook to carry the memorial to the king. This he did in the summer of 1627. But in the following year, when returning to Acadia with provisions and stores for the Acadian settlements, La Tour was captured by the Kirke expedition, which in that summer was operating against Quebec. Taken as a prisoner

but it was expected that he would readily adapt himself to the new order of events, accept Sir William's favors, and surrender his fort. But the sturdy young Frenchman promptly refused to entertain any such proposals. Entreaties and threats were alike tried in vain, then resort was had to force. But young La Tour was able to beat back the assaults of his father's force and to send the latter in discomfiture to Port Royal, where the colonists were landed.

Two years later (1632), the Treaty of Saint-Germain-en-Laye handed Acadia back to France, whereupon Charles de La Tour lost no time in welcoming his father back into the French service. It was agreed that a new fort should be constructed at the mouth of St. John River, and that the elder La Tour should be given command. This was accomplished during the next few years. The French monarch did not allow the fidelity of the young La Tour to go unrewarded, for a commission as Lieutenant-general of Acadia was forthwith issued to him, and some little time later he received a supply of stores and munitions. But before Acadia could be taken back into the Bourbon charge, some disposition had necessarily to be made with respect to the Scotch colonists who had been settled at Port Royal. This task was intrusted by the French authorities to Isaac de Razilly, a distinguished captain in the naval service of France. In the spring of 1632, De Razilly made his way with a shipload of colonists to Port Royal, bearing a letter from the British authorities to the colonists there. The formalities of surrender were quietly gone through, for the Scottish settlers accepted the new order of things without resistance. Most of them remained at the settlement, and in a couple of generations had lost their nationality in their French environment. De Razilly fixed his headquarters at Cape La Hêve, where he built a small post, deeming the situation more favorable than that of Port Royal for the prosecution of the fishing industry. In his entourage were two individuals who figured prominently in the subsequent history of Acadia, Nicholas Denys, the historian, and Charles

de Menou de Charnisay, who became the bitter rival of Charles de La Tour.

For the next few years De Razilly found his hands full. Winthrop and his energetic advisers in the Plymouth colony were actively encouraging the extension of English settlements to the northward, while some of the more venturesome of the Plymouth colonists had already established themselves at the mouth of the Penobscot. De Charnisay was sent to dislodge them, as a warning to New England that no trespassing on the rather extensive territorial claims of the French would be endured. The English were harried out of the Penobscot region and sent back to Plymouth. There the authorities were stirred to action, and the despatch of a punitive expedition was proposed. But the two colonies of Plymouth and Massachusetts Bay were extremely jealous of each other and found it impossible to work together in the matter. A miserably feeble force was sent by Plymouth alone, but found itself unable to accomplish anything, and, for the time being, the French were left masters of the Acadian situation.

It was now in order for the various French leaders to

managed to get from the king an order deposing La Tour from his post as lieutenant-general and ordering him home to France for trial. Not the slightest inkling of the course which events were taking had been allowed to reach the ears of La Tour, but on receipt of the royal decision he was not slow in making up his mind what course to pursue. The same dogged stubbornness which had prompted him, some years before, to beat back his own father now impelled him to set the royal decree at naught and to defy his rival to enforce the order of arrest. De Charnisay accordingly did not venture a conflict, but withdrew to Port Royal and reported the outcome to the king. Assistance was soon sent to De Charnisay from France, and with these he made his way to La Tour's post at the mouth of the St. John early in the spring of 1643. The defenders of the post gallantly repulsed an assault, but De Charnisay's force was well provisioned and a prolonged siege must have resulted in the little garrison being starved into submission. In this dilemma La Tour took a bold course. Slipping through the besiegers' camp he made his way to Boston, where he sought to enlist the aid of the English. The authorities there were only too pleased to take a hand in the troubles of the French colony, and, although they demanded assurance of exorbitant compensation, fitted out a small flotilla of ships and placed them at La Tour's disposal. With these the latter hurried back to his post, where he was gratified to find the garrison still holding bravely out. The besiegers were put to flight, and hurried back to Port Royal with the English flotilla in close pursuit. If La Tour had been given his way, the quarrel would have been settled once and for all by the capture of Port Royal, but the English allies of the doughty Frenchman refused to undertake an assault. So, a return was made to the St. John where, after loading their vessels with furs,—the price of their assistance,—they set off for Boston.

Far from being ended, the quarrel had just begun; and as both contestants realized this, urgent appeals for help

were now made to their respective partisans in France. De Charnisay set off to France to urge personally his cause, while La Tour sent his wife on the same errand. Both returned only partially successful, and matters were left as they were until the following year (1644). During the late summer of that year, however, La Tour made a trip to Boston, leaving his wife in charge of his post, and this gave the crafty De Charnisay his opportunity. With his whole available force he moved to the St. John, and for several months laid siege to his rival's post. Madame de La Tour proved herself possessed of abundant courage, and throughout the winter repelled the successive assaults of her adversary with unexpected vigor. The siege was, however, so rigidly maintained that La Tour on his return was himself unable to reach the fort. In the end, supplies ran low, there were traitors within the walls, and the straits of the garrison were made known to the besiegers. As there appeared no hope of ultimate success, Madame de La Tour yielded, and agreed to a capitulation on condition that the defenders should not be harmed. Subsequent events showed De Charnisay in his true light. The capitulation was re-

to take refuge at Quebec. De Charnisay's mastery of Acadia was, however, of short duration, for in 1650 he was drowned at Port Royal. Immediately La Tour and Denys hastened back to their old haunts: the former made his way to Port Royal, and there added another chapter to the romance by marrying De Charnisay's widow and thus acquiring title to the possessions of his deceased rival. But De Charnisay had left many creditors in France, and one of these, Emanuel Le Borgne, of La Rochelle, had obtained in the French courts a judgment against the property of his late debtor in Acadia. This judgment he proceeded to enforce by sailing to the colony with two well-armed vessels. Arriving off Cape Breton, he displaced the energetic Denys, who had reestablished his fishing post, and carried him captive aboard his vessel. Moving to Port Royal, he found that La Tour had proceeded to restore his old post at the St. John; and after assuming possession of the former settlement, Le Borgne prepared to follow him thither.

It was at this point that affairs took quite a new turn. Cromwell had established himself firmly in control of affairs in England, and in pursuance of his aggressive foreign policy had become involved in troubles with Holland. Among other operations, an expedition under Major Sedgwick was sent against Manhattan, the chief post of the Dutch colony of the New Netherland. Sedgwick proceeded to Boston, where it was intended that he should be reinforced by a detachment of Massachusetts volunteers. At Boston, however, news reached him that peace between England and Holland had been concluded and the attack on Manhattan was no longer possible. Massachusetts had an old account to settle with Acadia, and Sedgwick was persuaded to turn his energies northward. So the expedition steered for the mouth of the Penobscot, where a small French settlement was found and promptly destroyed. Thence the expedition proceeded to the St. John, where La Tour, quite unprepared for an assault, surrendered without a shot. The

French settlers at Cape Sable and La Hêve were likewise gathered in, and the expedition at length appeared before Port Royal. Le Borgne attempted a defence, but to little avail; he was badly outnumbered and forced to capitulate. All Acadia was now in English hands. At Port Royal the settlers were allowed to retain their holdings, and an Englishman, John Leverett, was placed in charge as governor. When the news of these doings reached France the authorities made vigorous protests to the Cromwellian government, but the Protector firmly refused to disown the actions of his military subordinates.

La Tour thereupon took a new shift. Remembering that Charles I. had made him a Nova Scotian baronet,—albeit against his own will,—he set off for England with intent to plead his case before Cromwell. He must have possessed all the suavity of a Talleyrand, for he convinced the Protector that his services would be valuable to England, and his possessions were restored. A company was organized consisting of La Tour, Thomas Temple, a Puritan colonel, and William Crowne, a clergyman. To this trio was given a wide grant of lands extending from the head of the Bay of Fundy down to the borders of New England, with a full trading monopoly throughout the area. About 1657, Temple went out to Acadia and began to develop his new possession; and La Tour, now well up in years, sold out his interests to his partners and settled down at Port Royal, where he died in 1666.

Temple and Crowne soon encountered their share of those vicissitudes which beset the early days of a colonial enterprise. Cromwell died in 1658, and his decease impelled Le Borgne's son to attempt the reestablishment of the post at La Hêve. But he was repulsed, taken prisoner, and carried to Boston. And with the Restoration the real troubles of the proprietors commenced. Charles II. had been less than a year on the throne when the French claims to the restoration of Acadia were advanced, and the English king consented to the appointment of a commission to

determine the merits of the matter. Nothing resulted, however, and affairs drifted on until the two countries found themselves at war on European questions. To England the struggle was an inglorious one; when it ended, in 1665, the Treaty of Breda ceded Acadia back to France, and by the end of the following year the French had taken possession of the colony. Temple returned to England, where he claimed from the crown reimbursement for his expenditures in the colony, but received nothing. The cession was for England a serious blunder. Acadia was rapidly becoming an English colony, but during the next forty-five years that it remained in the hands of France the colony became thoroughly French in every respect. Consequently, when England again assumed possession as the result of the Treaty of Utrecht, she received a dependency which, by its persistent hostility to her control, gave her much trouble.

With the restoration of the colony to France the first census was taken, and from it we glean that the population of Acadia numbered slightly less than four hundred souls. Of these nearly three hundred and fifty were settled at Port Royal; the remainder were for the most part at the post on the Penobscot. The new officials sent out to the colony endeavored earnestly to increase the immigration from France thither, and it was not long before new arrivals began to establish themselves around the Basin of Mines, the commencement of those unfortunate settlements which were destined to be so ruthlessly broken up three-quarters of a century later.

The first French governor of Acadia after the restoration was Hubert d'Aubigny de Grand-Fontaine, a man of much energy and ability. He was instructed to live on good terms with the English colonists to the southward, and during his three years' tenure of office managed to do so. His successor was Chamblly, a former officer in the *Régiment de Carignan-Salières*, whose name is perpetuated by the town on the Richelieu. For some time, affairs ran

along smoothly enough; governors changed at frequent intervals, but found little to do outside the regular routine of official duties. Settlers came in small numbers, among them the Baron de Saint-Castin, an adventurous spirit with a marked taste for forest life, who recommenced the settlement at the Penobscot, where, in the course of time, he became embroiled with the advancing English settlers. The main difficulty was that the Treaty of Breda had not attempted to define the boundaries between New England and Acadia, with the result that the New England authorities still held to their old claim that the Penobscot district was within their sphere of influence. It was not, however, till 1688 that matters reached an acute stage. In that year Governor Andros, who had charge of the interests of New England, made his way to Saint-Castin's settlement, landed without opposition, and plundered the place. The French were prompt with their revenge, for their influence with the Indians of the Acadian and Maine regions was sufficient to stir up the savages to onslaughs on the New England borders. For many years the English settlers on the northern frontiers paid the terrible penalties of having incurred French

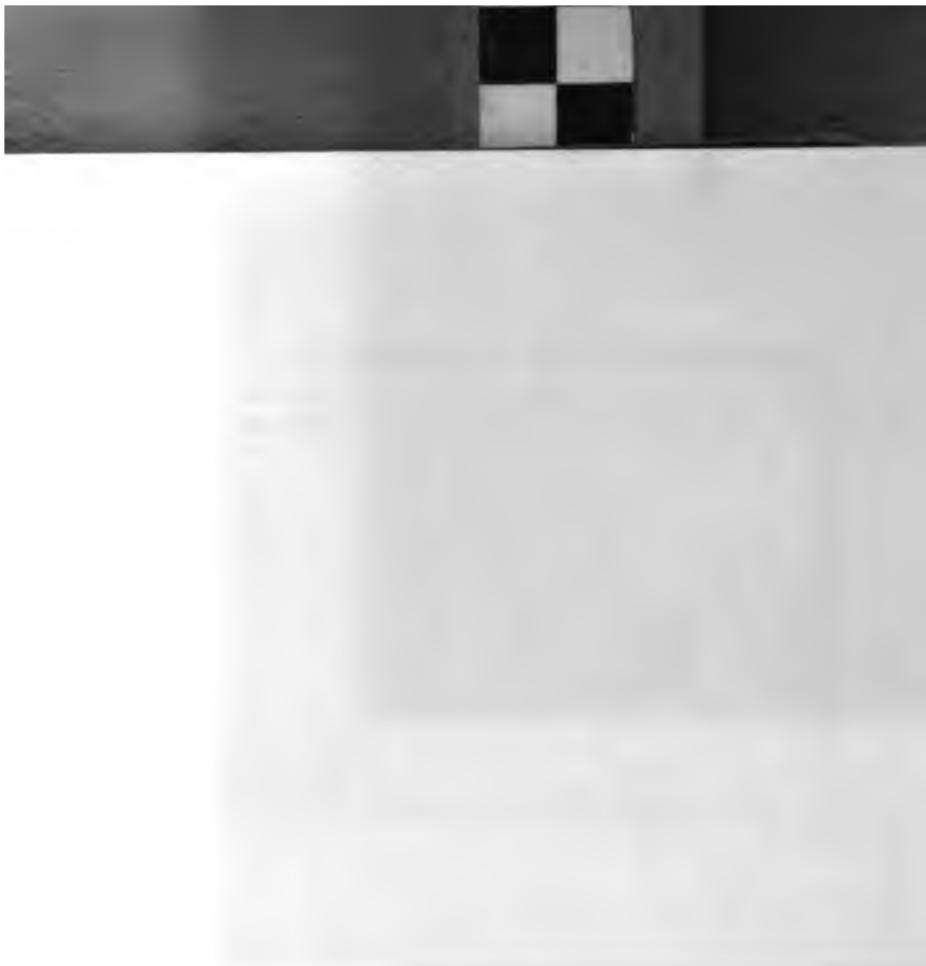
taken and pillaged. The inhabitants were called upon to take the oath of allegiance to William and Mary, while the English flag was hoisted over the place. A small part of Phipps's force was detached to destroy Saint-Castin's post on the Penobscot; and when this had been accomplished, the whole force returned to Boston, taking with them De Menneval, the erstwhile Governor of Acadia, and some sixty soldiers who had formed the garrison at Port Royal. The New Englanders were not long gone before the French resumed their Bourbon allegiance, and for the next few years devoted themselves energetically to the bloody work of raiding the frontiers of New England.

Two years after Phipps's capture of Port Royal, the New Englanders rebuilt Fort William Henry at Pemaquid, this time constructing a pretentious stone structure. The cost was borne entirely by Massachusetts, and a garrison of about sixty men was installed. The French determined to attack the fort at the earliest possible opportunity, and three vessels under Le Moyne d'Iberville were dispatched against it in the summer of 1692. But on arriving near the fort, D'Iberville found an English frigate in the harbor and refrained from any attack. It was not till four years later (1696) that he again returned to the task of reducing the post, this time with success. After putting to flight two English frigates which he encountered in the Bay of Fundy, the dashing young Frenchman made his way to Pemaquid, followed by a flotilla of Abnakis' canoes. After a brisk but brief cannonade the fort surrendered, on condition that the garrison should be allowed to march out unharmed. The French did not attempt to hold the post, but, having razed it to the ground, made off to Quebec. In the following year, the Peace of Ryswick put an end to the war and confirmed Acadia in the possession of the French.

The peace of 1697 was a very precarious one; within five years the War of the Spanish Succession again placed Acadia in the throes of conflict. French privateers, setting

out from Port Royal, scoured the New England coasts, while the fleet of Massachusetts, commanded by the bluff old Puritan Ben Church, harried the Acadian coast settlements on the Bay of Fundy. As usual, the French, aided as they were by the Indians, showed themselves more adept at *petite guerre*, and once again the New England colonies were driven to attempt operations on a large scale. In the autumn of 1709 a force under Nicholson set forth from Boston, and again Port Royal, after a vigorous defence, went into English hands. This time it went to remain. The name of the post was changed to Annapolis; the defences were repaired and a strong garrison left in charge. Saint-Castin, with his horde of Indians, made a fierce attempt to recapture the place during the course of the year following, but without avail; Acadia had forever passed out of the control of France. Three years later (1713), when the war closed in accordance with the terms of the Treaty of Utrecht, the British possession of Acadia was confirmed. France, however, was allowed to retain Île Royale (Cape Breton), with the right to erect fortifications. As has been pointed out elsewhere, this was the cardinal error of British diplomacy in connection with the terms of peace. ^{11a}

maintain the semblance of British possession, but the colony remained thoroughly French in language, traditions, and spirit. While professing neutrality, the inhabitants rarely lost an opportunity to show, as openly as they dared, their hearty sympathy with French designs for the ultimate recovery of the colony. Time and again it seemed as if a new struggle were at hand, for difficulties and causes of friction there were in abundance. But each time the war clouds gathered only to clear away once more, until in 1744 the outbreak in Europe of the war of the Austrian Succession brought the respective colonies of France and England in America once again to blows. From this time down to 1763, when France finally relinquished her hold on the Western Continent, events in Acadia loomed large in the general conflict. It is, therefore, in the narration of this greater struggle that these events have been already detailed.



CHAPTER X

THE AFTERMATH OF THE CONQUEST, 1760-1774

As far as Canada was concerned, the capitulation of Montreal may be said to have closed the military events of the Seven Years' War. It now became incumbent upon the victors to make some provision for the administration of the newly acquired domains, and this General Amherst, acting under instructions from home, at once proceeded to do. To this end he arranged for the division of the conquered territory into three districts, and over each he placed a military officer charged with the general administration of the district. These three districts centred at Quebec, Montreal, and Three Rivers, and were placed respectively in charge of General Murray, Brigadier-general Gage, and Colonel Burton. In each district, moreover, provision was made for the establishment of courts of justice, each composed of army officers, who decided the causes brought before them without the intervention of juries, reserving always the right of appeal to the military officer in command of the district, and through him, in certain cases, to the commander-in-chief. In approving this system, the British government expressly declared it to be a war measure only, to remain in force until the conclusion of peace should allow the establishment of a civil government. And wisely enough; for, while Canada had been won, the war in Europe still dragged on, and there was no guarantee that, in the final disposition of territories on the conclusion of peace, Canada would not be handed back to her former suzerains. To have

organized, therefore, a permanent civil administration would have been premature, apart altogether from the other weighty circumstance that the colony was inhabited by a population which was hostile to the British.

That the war was not concluded in Europe as well as in North America was due more than aught else to the death of George II., which occurred during the year 1760. In his last days, this king had been extremely anxious to bring the costly conflict to a close, and in this he was warmly seconded by Pitt. And with reason, for the struggle had given Britain more than even Pitt would have dared to hope for in the gloomy days of 1756 and 1757. The statesman who had undertaken to "save England" had made her salvation a bitter lesson to her ancient enemy beyond the Channel. But the death of George II. and the accession of his son, George III., thwarted effectually any prospect of an immediate peace. The reason is to be found primarily in the character and ambitions of the new king. The first two Georges had taken little interest in the internal politics of England; both were Hanoverians at heart and Germans in tongue, caring more for their continental principality than

The war had made the minister; the conclusion of peace would, at any rate, put an end to his growing popularity; hence, peace must be secured forthwith. On the desirability of concluding peace Pitt was, from much higher motives, entirely at one with his new sovereign, but as to the proposed terms of peace they were irreconcilably at variance. For one thing, Pitt insisted that Frederick the Great, who had, as a faithful ally of Britain, been vigorously fighting her battles on the Continent, should be protected amply in any agreement which might be made. But George III., who had little regard for either Prussia or her warrior king, was willing to negotiate separately with France, leaving Frederick to make, single-handed, such terms as he could. Furthermore, the receipt of reliable information that Spain had concluded a secret treaty with France, guaranteeing aid in case peace were not soon concluded, considerably altered Pitt's belief that the time for ending the war was opportune, and caused him to insist that hostilities go on until both Bourbons were crushed. On these points, then, the king and his minister soon found themselves utterly at issue, with the result that Pitt tendered his resignation. The man who had won for Britain her two great empires beyond the seas found himself a private citizen; while Lord Bute, whose main merit in the eyes of his sovereign was a tested subser-
vency, took up the seals of office. The conclusion of peace was, however, not yet to be accomplished. Spain, in accordance with her agreement, declared war, and this new turn in affairs forced the king to adopt the very course which his late minister had so earnestly advised.

And so the war dragged on for another year, but with no diminution of British success. Frederick the Great, when Pitt was in power, had been lavishly aided with British sub-sidies, and it was these which had enabled him to keep in the field when, on more than one occasion, he would otherwise have found himself in the direst extremities. These subsidies were now withdrawn—a gross breach of faith which Germans to the present day have not allowed to be

forgotten—and Frederick came within an ace of being vanquished, only the sudden change of sovereigns in Russia proved his deliverance. But by November, 1762, the general weariness of war on the part of all concerned induced the combatants to conclude the preliminaries of peace. "Never," said George III., "did England sign such a peace before." France relinquished to Great Britain all her claims in North America with the exception of Louisiana and the two little islands of St. Pierre and Miquelon off Newfoundland; gave over a goodly share of her possessions in the West Indies, and acknowledged British ascendancy in India. For her assistance in the closing year of the war France gave over to Spain the Louisiana Territories: the only tangible remnant of her wrecked Empire of the West. Signed on February 10, 1763, and known in history as the Peace of Paris, this convention gave substantial acknowledgment of Britain's victory in the gigantic duel with the Bourbon power and placed her paramount in the New World. Enormous as were the concessions made by the vanquished, they did not satisfy Pitt and his friends, who opposed the ratification of the terms by Parliament. But to no avail, for the people at large were so heartily tired of the war as to be amply satisfied with the territorial accessions.

In the history of the North American continent few events have had such far-reaching consequences as the expulsion of the French at the close of the Seven Years' War. For upward of a half century the presence of a dangerous foe, powerful out of all proportion to her effective numbers, had been perhaps the strongest of the various ties which bound the British colonies on the Atlantic seaboard to the motherland. Causes of friction there were in abundance, and to the colonists the yoke of the Lords of Trade and Plantations often seemed to bear heavily. But with the aggressive colonies of France, organized primarily for war, pressing on their northern and western frontiers, separation from the mother country was the last thing which any colonist would have desired. Now, however, this

danger had passed. Freed from all external danger, British protection and support no longer seemed the indispensable requisites of existence. Grievances were, therefore, much less complacently borne and were no longer regarded as the price of a necessary assistance. And, moreover, it was, it should be remembered, the enormous expenditure incurred by the motherland, both in acquiring and holding her new conquests, which first impelled British statesmen to discuss the question of raising at least a part of the cost by the imposition of taxes upon those colonies to whom the main benefit had accrued. It was, therefore, the expulsion of the French from Canada which brought the secession of the thirteen colonies for the first time within the range of political possibilities; it was the efforts of British statesmen to make the colonists pay for their new-found security that gave the latter their first item in the long list of grievances expressed in the Declaration of Independence.

The announcement in Canada that the colony had been definitely ceded to Great Britain was the signal for the emigration of a considerable portion of the population. After the capitulation of Montreal, in 1760, there had been an exodus of the military forces and of government officials. Some civilians went also, but not a great many, for there were not lacking those who felt that in some way or other France would eventually receive back her Canadian colony and satisfy Great Britain with adequate compensation elsewhere. Just how great the exodus of 1763-1764 was in point of numbers is difficult to say, for the statistical data are not of the best. It may, however, be estimated at about twenty thousand, or say twenty-five per cent of the total population. But it was not alone because of its numbers that this hegira weakened the colony; those who emigrated included the best elements of the population: wealthy merchants, seigniors, and traders; in fact, those who could best afford to go and whom the colony could least afford to spare. Those who remained were comprised within the three settlements of Montreal, Quebec, and Three Rivers;

in the small hamlets and in the seigniories along the St. Lawrence, St. Maurice, and Richelieu, and in the fortified posts along the Great Lakes and connecting rivers. In all of what is now Ontario there was not a single settlement; from Montreal to Detroit was an unbroken wilderness.

The British government had no more than entered into secure possession of its new domain when a new danger, as alarming as it was unforeseen, presented itself on the western frontiers. This was the "Conspiracy of Pontiac," a general rising of the tribesmen in 1763 intended to mark their displeasure with the new order of things established by the Peace of Paris. The dominancy of Britain in North America was viewed by the Indian chieftains with no slight disfavor and for abundant cause. The vivacious Frenchman had always outwitted the staider Saxon in the contest for tribal confidence, and it was only natural that the Indian should view with misgivings the enforced departure of his old friends. But there was a weightier reason for savage antipathy; Indian policy was not usually moulded by like and dislike of national traits. So long as the duel between Saxon and Gaul

was this all. Now that the way was cleared of French opposition, settlers from the colonies along the Atlantic seaboard began to *trek* beyond the Alleghanies into the fertile lands of the West, slowly but surely forcing the Indians deeper into the further wilderness. And this without much regard for the feelings or rights of the tribes concerned.

It was not astonishing then, that with the exception of a few tribes such as the Shawnees and Tuscaroras who had always been firm in their alliance with the British, all the western tribes remained loyal to the vanquished French. During the last few decades the tribes of the Iroquois Confederacy had, to a considerable degree, lost the predominance which they had formerly enjoyed; among the western tribes, the Ottawas were now perhaps the foremost in point of military power and political influence. This tribe occupied the territory around Detroit and had at its head an ambitious and able chief in the person of the famous Pontiac. While Pontiac had no official headship over the other tribes of the West, he was not long in acquiring an influence over them which enabled him to make his counsels effective over an enormous range of savage population. His main cause for antagonism was, of course, the general dislike which the Indian manifested toward the new régime, as already explained, but he had an additional reason in a personal pique against Major Gladwin, the British commander at the Detroit post. During the course of 1762 the Ottawa chief did his best to create opposition to the British advance and to weld the various tribes into a comprehensive confederacy for a general attack on the frontier posts of the West. Pontiac succeeded in enlisting the sympathies of many of the tribes, yet with remarkable secrecy, for although occasional hints of impending danger reached the authorities at the different posts from time to time, none of the garrisons had any authentic information of the general conspiracy. That Pontiac worked out the details of attack upon the different posts is not probable, but that

there was some general allotment of offensive tasks among the different tribes is beyond a doubt.

The most difficult undertaking, that of reducing the fort at Detroit, Pontiac reserved for his own tribe. Detroit was now garrisoned by a detachment of somewhat more than one hundred soldiers, while a few dozen traders and non-combatants could be pressed into service in any emergency. It was now planned by the conspirators, in order to render their attack more certain of success, to decoy the garrison into receiving a large number of Indians within the palisades under the pretence of a council. But the information reached Gladwin that the Indians were filing off the barrels of their muskets with a view to concealing these beneath their blankets, and that a signal from Pontiac was to transform the council into a massacre of the unsuspecting garrison. The source of this providential information has never been established. A dozen different contemporary chroniclers give as many different sources. At all events Gladwin was put on his guard; the council was held, but in full sight of the garrison drawn up with loaded muskets and

ambitious Ottawa was content, perforce, to establish a partial siege which, owing to the vacillating traits of Indian character, it required all his influence to maintain.

Meanwhile, the other tribes had been doing their respective parts. The posts at Sandusky, St. Joseph, Miami, Presqu'Île, Le Bœuf, Venango, and Michilimackinac were successively assaulted, and by stratagem or force, or both combined, came into the possession of the tribes. So rapidly did one assault follow another that ten posts were attacked within six weeks; all save Detroit with success. The ruse employed by the tribesmen in their capture of Michilimackinac has become classic as an instance of Indian stratagem. Early in June, the unsuspecting garrison, not having heard of the attacks upon the other posts, accepted an invitation to witness a game of lacrosse between two parties of Chippewa Indians, the game to be played outside the fort. While the game was being contested with a spirit which attracted the whole attention of the onlooking garrison, a number of squaws bearing concealed weapons made their way within the fort. Presently the ball was thrown within the palisades; in rushed the contestants, and quickly obtaining the weapons carried by the women, made short work of the unprepared whites.

For weeks, however, the courageous defenders of Detroit held the post, and an earnest effort was made to send relief from Niagara. But that fort could spare but a scant force, and the luckless expedition which it forwarded late in May, under Lieutenant Cuyler, was surprised and cut to pieces by Pontiac's force just as it was about to reach its destination. This success greatly raised the prestige of the Ottawa chief among the confederates, and even the Shawnees were moved to renounce their ancient friendship and to ravage with merciless barbarities the unprotected frontiers of Pennsylvania. A second relief force from Niagara reached Detroit. Its arrival was, however, no unmixed blessing, for it was not sufficiently strong to raise the siege, and its leader, Dalzell, induced Gladwin to venture a night attack upon

the besiegers' camp. The wary Pontiac had his trusted spies on the alert, and the plan was disclosed to him, with the result that the sortie was repulsed with heavy loss and the demoralized defenders thrown back in disorder within the palisades.

With the exception of Detroit, the only post of consequence not in the possession of the tribes was now Fort Pitt, the former Fort Du Quesne, at the confluence of the Ohio with the Monongahela. Here Captain Ecuyer, with a force of nearly three hundred and fifty men, was stationed, and toward the end of July was confronted by a formidable force of Delawares. Ecuyer had received due warning and had not been dilatory in his preparations, so that the post was now as strong as his slender resources could make it. The assailants were successfully held at bay in an attack which lasted for five full days and is almost without parallel in the annals of forest warfare.

General Amherst had been exceedingly slow to realize the gravity of the situation, but the perilous situation of the defenders at Detroit and the annihilation of the first relief force sent out from Niagara convinced him of the urgency

advanced against the relieving expedition. The two came into conflict on August 16, 1763, at Bushy Run, or, as it is sometimes called, Edge Hill. The fight was one of the most obstinate in the annals of conflict between white and red men in North America, but in the end Bouquet's victory was decisive; the prowess of the haughty Delawares was destroyed and Fort Pitt was promptly relieved.

The other expedition, that for the relief of Detroit, under Colonel Bradstreet, was mobilized very slowly, and it was not till the following summer that the authorities were able to concentrate a force of about twelve hundred men at Niagara. Pontiac had abandoned the siege of Detroit during the winter, retiring into the west in order to revive the ardor of his followers; still, with the opening of the spring of 1764, he was in position again, but under a waning star, for the victory of Bouquet had had a disquieting influence on many of his allies, and these deserted in large numbers. Consequently, when Bradstreet approached, the Ottawaan did not venture battle, but retreated into the western wilderness, whence he could emerge to continue his depredations at the earliest opportunity. It is difficult to foresee what effort would have been necessary in order effectually to crush the confederates had not Sir William Johnson, whose influence with the Indians was immense, devoted his energies to negotiation with the tribes. One after another of these tendered its submission, the various posts were restored and regarrisoned, and in the closing days of August, 1765, Pontiac himself buried the hatchet with due formalities in a grand peace council at Detroit. The great chief lived but a few years after the close of hostilities; in 1769, he was treacherously assassinated by a member of the Illinois tribe.

Even before the conflict had ceased in the western territories, the conclusion of the Peace of Paris had permitted the British government to abolish the military administration which had been established in the newly acquired territory pending the formal relinquishment of French sovereignty. In the autumn of 1763, a royal proclamation was issued,

carving up the newly acquired domain into the four provinces of Quebec, East Florida, West Florida, and Granada. The last three were constructed from the acquisitions in the South; the first named was intended to embrace the domains in the north which had been held by France. An attempt was made, in the proclamation, to delimit the boundary of the new province, but with results which disclose the prevailing ignorance concerning the physical geography of the New World. As nearly as one can make out from the misleading delimitation, the boundary was to be: east by Saguenay River to Lake St. John, thence to Lake Mississini [probably Mistassini]; south by the height of land dividing those rivers which drained into the St. Lawrence from those descending to the sea until the forty-fifth parallel was reached, thence along that parallel to the St. Lawrence. The western boundary was left undefined. This extension of the limits of Quebec was the cause of considerable resentment on the part of the British colonists to the south, who regarded it as an encroachment on their claims. The proclamation further asserted the royal intention to give the prov-

French Civil Law, has perpetuated that system in the province to the present day.

Under the provisions of the proclamation, General Murray was commissioned Governor of Quebec. He proceeded to form his council, of seven members, with the chief justice as presiding officer. One of his first acts was to issue an ordinance establishing a system of courts for the administration of the new jurisprudence. To this end, justices of the peace were appointed in the various districts, while a system of higher courts, consisting of King's Bench, Common Pleas, and Chancery divisions, was constituted to deal with more serious causes and with appeals. As had been foreseen by many in the colony, the most discouraging legal disorder ensued. The judges were Britons, the juries Frenchmen, and neither could understand the other without an interpreter. The jury system was not viewed kindly by the *habitant*, who lost sight of its advantages in his aversion to compulsory service in what to him was an unnecessarily complicated and tedious process. Especially was there a hopeless entanglement whenever questions relating to land tenure came up for adjudication, for the judicial officials found themselves utterly unable to apply the precepts of English law to such cases. Hence, before the new order of things had existed two months, Governor Murray was compelled to enact, with the advice of his council, that "in all actions relative to the tenure of land and the rights of inheritance, French laws and usages shall be observed as the rule of decision."

Furthermore, most of those who were given judicial and political posts were new arrivals from Britain, and were not always selected on their merits in relation to the tasks in hand. Many were ignorant, avaricious, and filled with a supreme confidence in all things English, which was mated only by their equal if not greater contempt for all things French. As most of them received no salaries, but were allowed to obtain their remuneration from fees, there was an excellent opportunity for extortion which many of the

officials were not slow to seize. The hapless *habitant*, stranger both to the rules and language of the new courts, was usually fleeced, without knowing whither to look for his redress. Murray, be it said to his credit, did what he could to mitigate the evils, thereby incurring the hearty ill will of the host of legal parasites whom he, in one of his despatches, termed the "most immoral lot of men he ever encountered." In this he was ably assisted by Francis Masères, who became attorney-general in 1766, a man who was destined later to have considerable part in rearranging the legal system of the province.

Murray also found difficulties in other quarters, for his military subordinates did not always render him that prompt obedience which was their obligation. Furthermore, disputes between military and civilians were frequent. But the governor's relations with the ecclesiastical authorities were remarkably amicable, Bishop Briand having been appointed to the See of Quebec in 1766 and being on cordial terms with the governor. Much of Murray's time and attention were taken up with the work of redeeming the old paper

and detailed the opposition which he had encountered. The document contains much valuable statistical and descriptive information. It is also a temperate defence of his own conduct and carries conviction to the impartial reader. First governor-general of the Canadian domains of Britain, his name graces the roll as having no superior in honorable fidelity to what he considered to be his duty.

General Guy Carleton replaced Murray. His appointment, at first temporary, fully justified the confidence imposed in him, for Canada has had no more efficient administrator. General Guy Carleton was a native of County Down, Ireland; he entered the army at a time when a commission was no sinecure. His promotions came rapidly, and in the expedition which Wolfe led to victory on the Plains of Abraham, Carleton held the post of quartermaster-general. On the conclusion of the Peace of Paris, he took up his residence in England, where he remained until in 1766 he was summoned to relieve Murray. Carleton was not slow to grasp the situation in Quebec: an aggressive British minority greedy beyond bounds for power and ferment, an overwhelming mass of "new subjects," as the French inhabitants were called, jealous of their exclusion from official circles, but not yet able to secure admission. In his determination to maintain harmony between the two parties he faced a task not easy to perform. One of his first acts was to forego all his emoluments from fees, depending upon his salary alone; a popular move which none of his subordinates thought worthy of imitation or even of praise.

But the question which most urgently demanded his attention was the rearrangement of the legal system of the province in some way that would diminish the wholesale discontent and chaos which the existing legal system engendered. Francis Masères, the attorney-general, was accordingly commissioned to report on the scheme of reform, and, after careful consideration, recommended the retention of the English jurisprudence intact in so far as criminal law

was concerned. On this point there was no difference of opinion in the province. As for civil procedure he recommended the immediate preparation of a new code in which would be retained the rules of French law relating to tenure, dower, inheritance, alienation and succession to real property, but otherwise compiled from the English common law. Masères was a descendant of the exiled Huguenots who went to England after the revocation of the Edict of Nantes in 1685. In his sympathies, however, there was little that was French and his schooling in English law had given him a true Blackstonian love of that system. A bigoted Protestant, he thoroughly favored the shackles which the English law of his day placed upon Romanists, so that his report was by no means an impartial and unbiased survey of the situation. The sagacious Carleton was not slow to convince himself of this and decided not to base his recommendations to the home authorities on the counsels of the attorney-general. His own inclination was toward the revival of the French system more or less in its entirety, and during the next year continued complaints

the French Catholics of Quebec would have no sympathy with the movement; while on the other hand, if Roman Catholics were to be admitted, the English minority, being largely Protestant, would oppose the whole proposal. The British authorities, for their part, were quite willing to consider the simple demand for a House, provided the religious question could be arranged to the satisfaction of those concerned; for the crisis in the colonies to the south was bringing home to British parliamentarians the superiority of prevention to cure in relation to the political ills of colonies. Masères, who had returned to England to assume office there, strongly urged the exclusion of Roman Catholics in the proposed House, but Carleton successfully negatived his influence in this regard. Both, along with several others, were heard before the House of Commons, and the law officers of the crown were commissioned to report on the legal questions at issue. Thurlow and Wedderburn were then respectively attorney and solicitor-general, and their reports were able and exhaustive. A supplementary report was also prepared by Advocate-general Marryot. The general drift of opinion in all three was in favor of greater scope being given to the French civil law, and it is undoubtedly true that the recommendations had considerable weight in determining the legislation which followed, although the chief credit must rest with the indefatigable Carleton.

Thus put in possession of full information from the various points of view, the ministry, in the spring of 1774, framed and introduced into Parliament a comprehensive measure known as the Quebec Bill. In the first place the bill provided for the repeal of the Proclamation of 1763, under which the administration of the province had been thus far carried on. Then it proceeded to extend the boundaries of the province, which was now defined as including, in addition to its previous territories, all the country west of the western boundaries of Pennsylvania and Virginia and north of the Ohio as far west as the

Mississippi. The northern boundary of the province was now projected to the domains of the Hudson's Bay Company. This extension of territories had not been requested by the provincial authorities; it was in the main a punitive measure directed against the recalcitrant New England and other colonies on the Atlantic seaboard. These had, since the cession of 1763, justly regarded themselves as sharers in the newly acquired western lands. And this decisive denial of their claims may be looked upon as an act of repression induced by the Boston tea episode. Further, the bill provided for the release of Roman Catholics in Quebec from all the penal restrictions imposed upon their co-religionists in England, gave renewed recognition of the Church's right to collect tithes as of old, and confirmed all branches of the Church, with the exception of the religious orders and communities, in the full possession of their landed interests. It might here be noted that, with the exception of the Jesuits, none of the orders were ever disturbed in the possession of their lands; but, strictly speaking, the provisions of the bill afforded no guarantee of this immunity. English criminal law was estab-

taxation by the British Parliament. The Quebec Bill went through the House of Lords with only six dissentients, among whom, however, was the eloquent Chatham. In the Commons it had a more tempestuous course, but the ministry succeeded in steering it safely through without any important modifications.

Such was the Quebec Act of 1774, which formed the constitution of the province for the next seventeen years. That the clause providing for the absurd extension of provincial boundaries was an inexcusable error no one will hesitate to admit. It angered the seaboard colonies without in any way benefiting the Canadians. But as regards the other provisions these were, on the whole, quite justifiable under the circumstances. The authorities had, apparently, reached the conclusion that Quebec would probably be for all time predominantly French in language, traditions and character; that Roman Catholicism would continue to be the religion professed by the great mass of the population. Nor has history shown them to have erred in this. Such being the case, it was wise to obviate an inevitable cause of complaint by removing all disabilities imposed upon those professing the dominant religion. The policy of reviving the French civil law has not been without its critics, first among whom were the framers of the Declaration of Independence who *inter alia* censured the authorities of their common motherland "for abolishing the free system of English law in a neighboring province." But after all there was little else possible. The introduction of English law in civil cases had produced intolerable chaos; a mixture of French and English rules embodied in a new code would have been at best a clumsy makeshift. The only satisfactory alternative was the course pursued. Nor, it may be added, did censure of this act of grace in giving to the population of a dependent colony the free operation of their ancient customs and laws appear to come with special seemliness from the gifted group of men who framed the memorable declaration of the republic's birth,

emphasizing in every line the right of a free people to the control of their own immediate affairs.

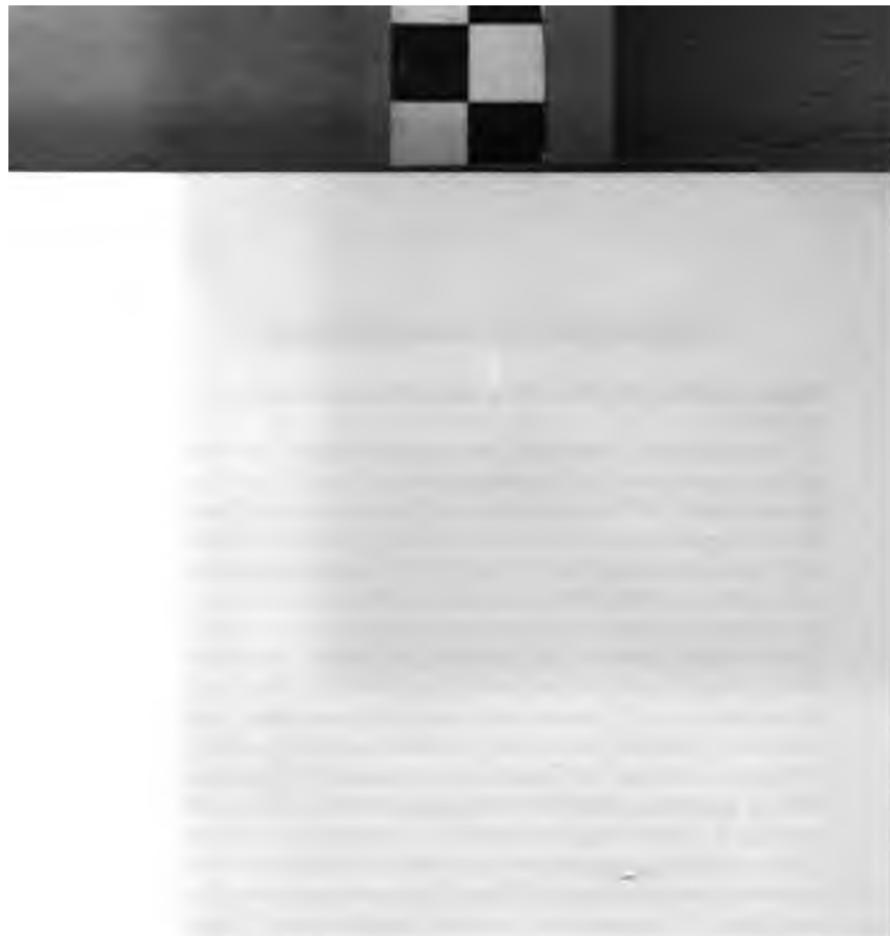
The failure of the Act to provide for the calling of an Assembly was the cause of some disappointment to the people of the province. But the religious difficulty had not been solved, and the home authorities were not prepared either to remove parliamentary disqualification from Roman Catholics in the colony while retaining them in England, nor yet, on the other hand, to exclude from membership in the Assembly all but the meagre four or five hundred Protestants in the province. Moreover, the lapse of ten years could not be reasonably viewed as having been adequate to school a politically untutored race in the complicated lessons of self-government.

In general the measure was favorably received by the masses of the people; we have the testimony of Garneau that the French-Canadians regarded it as a real boon. And this, from its enormous preponderance in numbers, was the element which had most reason for concern.

Shortly after the passage of the Quebec Act, Governor

remain inactive in the event of actual hostilities in their territories.

Carleton was ill prepared for any emergency, for he had at his disposal less than a thousand regulars and not a single armed vessel. Otherwise he might have carried out his desire to garrison the posts in the Lake Champlain district and thus have rendered the exploit of Allen and Arnold at Ticonderoga more difficult of accomplishment. However, he devoted himself to the strengthening of his positions at Quebec and Montreal and to the enrollment of a military force, which latter, in the prevailing desire of the French-Canadians to join hands with neither combatant was an exceedingly uphill undertaking. Had it been possible for Congress to strike at Canada at the outset of the conflict, British possession would probably have ended with a short campaign. As it was, the lapse of a year allowed an energetic governor to accomplish wonders in the way of increasing his defensive strength. That British suzerainty in Canada weathered the stormy days of the Revolutionary War was due more than aught else to the energy, perseverance, and calm courage of Guy Carleton, the man to whom the interests of the motherland were, for the time being, entrusted.



CHAPTER XI

CANADA DURING THE REVOLUTIONARY WAR

WHEN Britons late in the autumn of 1759, received with enthusiastic acclaim the welcome tidings that the brilliant success of Wolfe on the Plains of Abraham had made Great Britain master of the greater part of the North American Continent there was indeed little idea that her new acquisition was but a prelude to the loss of her older and more important interests in the New World. But such was none the less the case, for, as has been already shown, the conquest of Canada removed from the thirteen colonies in the south their one great bugbear,—the far-reaching and treacherous arm of France. The infant colonies no longer felt the indispensable need of a mother's protection. To detail the long chain of events leading up to the Revolutionary War would be obviously out of place here, but in so far as Canada was neither without interest nor part in the conflict, some general account of the preliminaries leading up to the opening of active resistance on the part of the colonies would seem to be desirable. And at the outset it may be stated—what everyone already knows—that the crux of the difficulty was the question of taxation. Why, it may be asked, did Great Britain choose this particular time for the assertion of its claim to raise money from the colonists? The answer is not far to seek. The long and costly war with

France had necessitated an enormous expenditure of British funds and had increased the national debt to an unprecedented height. And this apart altogether from the greater sacrifice of valiant lives. Nor of this expense was there an end with the cessation of actual hostilities, for the holding of Canada with its sullen population would involve the maintenance of forces there for a period, the end of which was indeterminable. All this in order that a baker's dozen of lusty colonies on the Atlantic seaboard which were unwilling to use their preponderant resources to beat back a weaker northern foe might have the French removed forever from within striking distance of their frontiers. It was not surprising then, to find Britons arguing that they who had reaped the harvest should remunerate the reaper and that the thirteen colonies should bear at least some share of the enormous cost involved. From the necessities of the motherland on the one hand, and the assumed obligations of the colonies on the other, arose the first measure of colonial taxation in the Stamp Act of 1765. This was the view of official Britain, but to

the depths of colonial opposition, obtained Parliamentary sanction to the Stamp Act. This imposed a small tax, evidenced by a revenue stamp, on all public documents, on newspapers and on a few articles of commerce. In form the tax was no new thing. Stamp taxes had been imposed in Great Britain long before this: they exist there at the present day. Some years before this time, Governor Shirley, of Massachusetts, had suggested the imposition of a stamp tax as a means of securing funds for the prosecution of the French War, and Shirley at that time declared his belief that the imposition of such a tax as a war measure would arouse no dangerous opposition. Nor, again, was the amount of the tax such as to render it objectionable on the score of oppressiveness. And the cost of its collection was small. The colonists, then, objected to the tax neither on account of its novelty, oppressiveness, nor costliness; they did, however, object to the principle underlying the tax. The home authorities, avowed arbiters in all matters of colonial trade and commerce, had at various times regulated these in such way as to entail incidental taxation; they had never taxed purely for revenue, either directly or indirectly, internally or externally. The innovation was, therefore, not in the imposition of a tax *per se*, but in the imposition of a *tax for revenue purposes*, and not as incidental to the regulation of foreign trade.

Opposition to the tax was manifested in no uncertain way by the colonists; the machinery of collection could not be set to work, and in the following year Parliament recognized this by repealing the Act imposing the tax (Stamp Act) while, at the same time, asserting in general terms its theoretical right to tax the colonies when it saw fit. The whole matter might well have ended there; that it did not do so was due to shiftings of British ministerial circles which brought to the front Charles Townshend, an avowed friend of colonial taxation, and seated him as Chancellor of the Exchequer. Townshend, who prided himself on his skill as a logician, was illogical enough to misapprehend the

colonial standpoint in relation to the Stamp Act. To him the colonial objection appeared to be against direct taxes; as a matter of fact, the objection was fully as intense against indirect taxes, provided they were levied for revenue only and not as necessary incidents to the regulation of foreign trade. Aided by the influence of the king, who had now become a thoroughgoing supporter of the policy, the new chancellor procured the passage of the so-called Townshend Acts of 1767, imposing import taxes on paper, glass, colors, tea, and a number of other commodities. Again, there was a vigorous outcry in the colonies, and a boycott of British goods was forthwith inaugurated. The boycott injured British trade; ships lay idle in the Thames and the British mercantile classes cried out almost as loudly as the colonists for the removal of the duties. The ministry saw plainly that as revenue measures the Townshend Acts were a failure, for the cost of collecting the duties would probably exceed the gross revenue derived from them. But a complete backdown was hardly to be thought of, so by way of compromise, all the duties with the exception of that on tea were withdrawn. This latter seems to have

to the idea that Bostonians had come to know neither order nor authority; and its occurrence alienated from the colonial cause many supporters in the motherland. Parliament, under the direction of the North Ministry, was not slow to retaliate, in 1774, by a series of repressive acts, which closed the port of Boston and took away the charter of Massachusetts.

The period of passive resistance had closed; that of active resistance had begun. The despatch of troops and armed vessels from England to Massachusetts gave opportunities for collisions between military and colonials, one of these—the “Boston Massacre”—almost precipitated hostilities. A dozen and one episodes in various parts showed the growing antagonism of the people of all the colonies to the British policy; while the desire of the colonial authorities for united action manifested itself in the assembling of the first Continental Congress in 1774, and in the formation of a system of Committees of Correspondence. By the opening of 1775, there seemed to be no arbiter but the sword. Recognizing the great desirability of Canadian coöperation Congress, in May of that year, made an urgent appeal to the inhabitants of Quebec to make common cause with the colonists to the south.

In the meantime, however, the attempted arrest of colonial leaders and the destruction of colonial stores at Lexington had precipitated the great struggle. The embattled farmers of the Bay Colony had driven Gage in disorder back into Boston where he now lay, practically besieged, until such time as reinforcements could be forwarded him from Britain. When these arrived the attempt was made to carry by assault the colonial position on Breed's Hill and Bunker Hill just across the harbor. The positions were taken, but with such enormous sacrifices that the colonials rightly claimed a moral victory. Now that hostilities had commenced, the second Continental Congress, sitting at Philadelphia, hastened to take over the heterogeneous force of sturdy militiamen which encircled the environs of Boston

and to place Washington in command. It was, indeed, a fortunate stroke, for the gallant young Virginian was soon to prove himself a strategist of the very highest order. Energetic, shrewd, honest, and unassuming, the rare embodiment of a genius and a gentleman, he was destined in the next few years amply to justify the hopes reposed in him at a critical time, and to earn by his worth and services the lasting love of a grateful people.

With Washington in command, the "Continents" at once assumed the aggressive: it was decided that if Canadians were not willing to be active friends, they must needs be accounted active foes. And from a purely military standpoint no impartial mind will question the soundness of this stand at the time. The situation of Quebec in British hands would allow the uninterrupted despatch of reinforcements directly in rear of the Continental operations, and it was with full recognition of the capabilities of the Lake Champlain route—perhaps with an overestimation of its value born of the French wars—that at the very outset an expedition was sent to effect the seizure of Ticonderoga. This task was intrusted to an expedition commanded by

moved up to Ticonderoga, and thence along the Richelieu to Chambly and St. John's, which posts were speedily reduced. The other force, under Benedict Arnold, proceeded by way of the Kennebec and across the forest wilderness lying between that stream and the St. Lawrence. This was a comparatively new route, and the experience of the expedition was not such as to justify its selection, for the most severe hardships were encountered before the force managed to reach Lake Megantic and descend the Chaudière to the St. Lawrence. Not alone was the route difficult in the late days of a wet autumn, but Arnold's force was ill equipped and ill provisioned. The result was that when his command arrived within striking distance of Quebec, its ranks had been considerably thinned and an immediate attack upon the post was out of all question. And as Montgomery had been making rapid headway toward Montreal it was decided to await his coöperation. In fact, the original plan had contemplated this eventuality.

St. John's, on the Richelieu, which had been garrisoned by a force of nearly six hundred regulars and militiamen under Major Preston, could have delayed Montgomery's advance very considerably, but the post at Chambly in its rear was given up by its commandant, Major Stopford, almost without a struggle, thus compelling Preston to capitulate, as he was now invested on all sides and without any apparent hope of relief. The way being clear, Montgomery now pushed on without delay to Montreal, which had neither defences nor garrison capable of withstanding the twenty odd hundred men composing the Continental force. Carleton, who was in the city, decided to take what regulars he had and retire at once to Quebec, deeming it better to make his stand there. Montreal was at this time an ambitious city of about twelve thousand persons and there were not lacking those who wanted to make such resistance as was possible. But the French-Canadian element would guarantee no support to any such project, and the invading expedition was allowed to enter the town on November 12, 1775,

without opposition of any sort. Without artillery, troops, or stores, the city no doubt acted wisely, especially in view of the fact that the possession of Quebec and not of Montreal was the true key to the situation. Montgomery treated the inhabitants generously enough, protecting them in the full enjoyment of their property. Leaving Wooster in command of the temporary garrison at Montreal, Montgomery pushed on down the river toward Quebec. From the Richelieu he had already sent down a strong detachment to Sorel with the intention of cutting off the retreat of Carleton and his escort. Carleton himself, with a few personal followers, managed to elude this force, but General Prescott and somewhat more than one hundred regulars who had accompanied him were taken prisoners. Sorel and Three Rivers were occupied without opposition and the whole disposable force was concentrated around Quebec. Both expeditions had been, however, greatly reduced in numbers: Arnold's, owing to the ravages of disease and desertions, for one whole regiment of New Englanders had deliberately returned home; Montgomery's, owing to the necessity of leaving garrisons at St. John's, Chamblay, Mon-

the Continental lines, so that a surprise was exceedingly difficult. However, December had been reached, and both the Continental leaders determined that an assault was the only course open to them. It was decided to make the assault on New Year's Day and the besiegers were favored by a blinding snowstorm which rendered their approach difficult of detection. Carleton had been duly informed of the plan by a deserter, and his forces were on the alert. Arnold, with about six hundred men, made his way to the north end of the Lower Town. His troops had won their way into the city before Carleton, with a superior force, managed to surround most of the detachment and captured over four hundred of its number. Arnold was severely wounded. Meanwhile, Montgomery, with a force somewhat weaker in point of numbers, essayed the more difficult task of escala-
lading the cliffs at the southern extremity of the Lower Town; but the defenders met his attack with coolness and resolution. Montgomery was killed, while his forces fell back in disorder. These two were the main attacks, the demonstration made by the rest of the Continental forces on the western side of the city being merely a feint. In both actions the defenders of the city had suffered very light loss, probably not more than twenty-five casualties in all, while the ranks of the besiegers, through heavy losses in killed and wounded and through the surrender of part of Arnold's force, had been reduced to a few hundred. As the invaders showed no signs of abandoning their enterprise, Carleton was urged to move out to an attack upon them, but remembering the De Lévis episode of 1760, pursued what proved to be the wisest course in awaiting the arrival of spring and reinforcements. Mean-
while, the Continentals were reduced to the sorest straits; smallpox had broken out in their camp and carried off troops by the dozen. Increasing difficulty was also found in procuring provisions, for the Continentals were not pro-
vided with specie for the payment of supplies and had been, since their arrival, issuing Continental paper currency to

the *habitants*. As the latter soon found it difficult to realize upon this paper, their reluctance to furnish supplies became manifest. Nor could Arnold well venture to provoke, by ruthlessly commandeering supplies, the open hostility of the people. During February and March some slight reinforcements reached the Continental camp by way of Montreal, but this was more than counterbalanced by the fact that many of the inhabitants of the province were now rallying to Carleton's assistance. One force of these, under De Beaujeu, was with difficulty restrained from an attempt to raise the siege. All things considered, Major-general Thomas who had arrived to take over the command, deemed it best toward the end of April to commence a retreat, and his decision was hastened by the arrival of two British ships with reinforcements and supplies from England. Carleton now took the offensive and followed the retreating Continentals for some distance up the St. Lawrence, but the latter managed to reach Sorel without difficulty, whence they made their way to Crown Point, whither, in June, 1776, the garrison was also withdrawn from Montreal and the Richelieu posts.

of the *habitants* by their issue of worthless paper money in payment for provisions, and on numerous occasions aroused vigorous resentment by giving them illegal certificates for supplies received; certificates which the quartermaster-general of the forces refused to recognize. And finally, the results of the expeditions convinced the *habitants* that the offensive strength of the Continental forces had been much overestimated. Denuded of troops and poorly supported by the people, Carleton had been able to hold the province against a seemingly irresistible force. Now that reinforcements from Great Britain were arriving in large numbers and plans for a spirited invasion of the colonies themselves by way of Lake Champlain were being gotten under way, it was easier to induce the *habitants* to discard their neutrality for active support of the authorities.

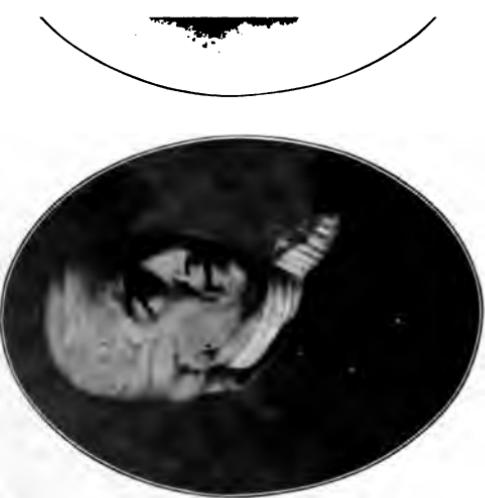
Writers on the history of Canada have too often allowed their sympathies to get the better of their desire for historical accuracy in dealing with the attitude of the *habitants* during the perilous days of 1775-1776. To say that the French-Canadians loyally supported the authorities in their difficult task of defending the province is to assert what is abundantly refuted by indisputable evidence. Carleton's earliest efforts to enrol militiamen in the purely French settlements were failures; his commissioners were treated with insolence in several instances. Sanguinet, in his *Mémoires*, records that in one settlement the women received them with a well-directed volley of stones. Nor were the governor's successive attempts to draft recruits under the provisions of the seigniorial system attended with success. The seigniors throughout the province were appealed to in the hope that they would rally their *censitaires* as in the days of the old régime. Many of them, fearing that Continental possession of the province would bring no good to their seigniorial pretensions, promptly responded, but there arose difficulties of all kinds when they came to call out their tenants. These urged that the obligation of military service had ceased with the cessation of French dominion, and that they were now

no longer liable to it. A few who ventured to compel service were roughly handled by their *censitaires* and compelled to take refuge with the authorities. In spite of the most vigorous efforts on the part of the governor and his friends, the number of militiamen secured for the defence of St. John's was considerably less than a hundred in all, different parishes contributing only from two to a half-dozen men apiece. In his extremity, Carleton had recourse to the assistance of the ecclesiastical hierarchy, and not without response; for Bishop Briand issued a mandate during the summer of 1775, exhorting the people in earnest terms to rally to the defence of their territories. But although this mandate was read in all the churches of the province, and in many cases vigorously supported with sermons by the parish curés, it had little effect in producing a change of attitude. The fact was that the *habitant* felt no particular interest in the British possession of his province; if the Continentals should interfere with their existing privileges, opposition might be expected, but this the *habitant* felt assured would not ensue. In the meantime, it was not his duty to engage in the dangerous occupation of pulling British chestnuts out of the fire. But after the failure of the Montgomery-Arnold incursions there was a noticeable change of attitude, for reasons already given. This change came, however, after the crisis was past, hence it was shorn of that advantage which its earlier occurrence might have produced.

That the province was preserved to Britain was due, in the first place, to the natural strategic advantages which the country possessed in a winter campaign. But, next to this, the credit must be given to Governor Carleton, whose indomitable energy and perseverance under the most discouraging conditions aroused and maintained an enthusiasm among his scant forces which did much to secure the actual outcome. It was in full recognition of this that the crown conferred upon him the honor of knighthood.

After the evacuation of Canada,—June 18, 1776,—the control of the Lake Champlain region secured the





Continents for the time being from the possibility of sudden attack on the part of any expedition operating from the north. Congress, shortly afterward, had drawn up and assented to the Declaration of Independence on July 4, 1776. The Continental siege of Boston had become so rigorous that the British were obliged to evacuate the city and move off to Halifax. But this move turned out to be but preliminary to a more important stroke,—the possession of New York. Boston, as both sides fully recognized, had little strategic value as compared with New York, for the latter commanded one extremity of the Hudson; and the possession of the Hudson from mouth to source by the British forces, could that be achieved, would have split the colonies asunder and prevented two important sections from assisting each other. The whole force under Lord Howe then proceeded, in the summer of 1776, to Long Island, where Washington's resources did not permit him to offer any tangible opposition to their landing. By a clever night march the Continental positions on the island were outflanked, and Howe in a few days found himself in possession of the city, Washington withdrawing up the river, whence he was promptly dislodged and sent in full retreat down through New Jersey and across the Delaware, with Howe in full pursuit. But the shrewd Virginian was not to be brought to bay. Outgeneralling Cornwallis, who was Howe's ablest subordinate, at Trenton and Princeton, Washington managed to recross the Delaware and gain Morristown Heights, a capital position for winter quarters and one that was within striking distance of the Hudson.

Although by these operations the British had secured one end of the Hudson line, Sir Guy Carleton, to whom had been intrusted the task of securing the upper end at Lake Champlain, had not been so fortunate. A fleet had been equipped for operation on Lake Champlain, and the mastery of its waters was secured, whereupon the Colonials blew up ~~Crown~~ Point and concentrated their forces at Ticonderoga. It was the intention of the home authorities

that Carleton should secure possession of this fort, but the delays he encountered in driving the Continentals from the lake rendered it impossible for him to attempt this before winter had set in. For this, Carleton was not altogether to blame. His task was a difficult one, and his resources in the way of troops were not so adequate as they might have been. Still, on Carleton's shoulders fell the brunt of official displeasure; and it was decided that he should be superseded by General Burgoyne, who had assisted him during the disappointing operations. Very properly regarding this as an injustice, Carleton asked to be relieved of his military command, a request which was promptly acceded to by the military authorities. In view of Sir Guy Carleton's valuable services in the defence of the province, this treatment was far from generous. That he had not made the very most of his opportunities in the operations around Lake Champlain may be readily enough admitted, but if every British general who operated in the Revolutionary War had been peremptorily superseded on the first manifestation of inability or disability, there would have been a kaleidoscopic shifting of commands such as the historian would have found it difficult to follow.

The plan of campaign mapped out for 1777 was an ambitious one, having for its objective the possession of the whole Hudson valley from Lake Champlain to the sea. To this end, Burgoyne, with a force of over three thousand men, was to descend the lake, capture Ticonderoga and proceed southward to the Hudson and Albany. A force under St. Leger was to cross from Oswego along the Mohawk valley and effect a junction with Burgoyne at Albany; while from New York, Howe was to send an expedition up the river to the same point. Thus was the Hudson to be swept by the three converging expeditions. Abundant criticism has been heaped on this plan. It had its main defect, no doubt, in that it failed to reckon with the difficulty of maintaining communication between converging forces operating in a country where the population was thoroughly

hostile. But that this difficulty is not an insuperable one, the doughty old victor of Sadowa and Sedan subsequently demonstrated in a convincing manner. The chief cause of its failure is to be found not so much in the conception of the plan, as in the neglect of Howe to carry out his part of it properly, and this again was due, in the main, to palpable blundering of those in authority at home. Setting out in July, Burgoyne made rapid headway; by a clever stroke a strong position near Ticonderoga was seized, and the Continental garrison evacuated the stronghold without delay and fell back toward Albany. Burgoyne descended the lake unopposed, but when he headed overland toward Albany his difficulties began to assume formidable proportions. A heavy baggage train delayed his movements, while his flanks began to be severely harassed by gathering Colonials. To protect his left flank he detached a strong force of Hessians under Baum, but these were neatly entrapped at Bennington, August 16, 1777. On his front he was opposed by General Gates, who was perhaps the least competent commander whom the Continentals possessed, and who, for political reasons, had been substituted for Schuyler. But Gates's incompetence was amply compensated for by the brilliancy of his subordinates, among whom Benedict Arnold was not the least prominent. Unable to protect either his flanks or his rear,—for the mobile Continentals had intercepted his communications with Ticonderoga,—Burgoyne essayed to push through by sheer force to Albany. But he failed absolutely to pierce the Continental positions at Freeman's Farm, and, unable to fall back was forced to surrender to the enemy, who now outnumbered him at least three to one. By the Convention of Saratoga (October 16, 1777) his whole force became prisoners of war, and the Continentals remained in full possession of the upper Hudson. St. Leger had encountered opposition which prevented his getting through the Mohawk valley and was forced to retire on Oswego. Howe, at New York, feeling from Burgoyne's early successes that his progress through to Albany was assured, set

off with the bulk of his force to effect the capture of Philadelphia, then the colonial capital, leaving Clinton to secure the lower Hudson. Clinton sent a belated expedition up the river only to learn that the surrender of Burgoyne's force had already become a matter of history. In his campaign against Philadelphia, Howe was more or less successful. Washington was attacked near Brandywine Creek, and chiefly through a brilliant flank movement, executed by Cornwallis,—the only British officer during the war who came within even measurable distance of Washington as a tactician,—was driven back and forced through Germantown to winter quarters at Valley Forge. Philadelphia was occupied (September 27, 1777) amid much enthusiasm. But to little end. Apart from the sentimental advantage accruing from the capture of the enemy's capital, its possession gave much worry and little gain. Consequently, when Howe, weary of the carpings of those at home, who, not without some justice, held him responsible for the disaster at Saratoga, gave up his command to Clinton, the latter recognized the advisability of an immediate evacuation of Philadelphia and a retirement on New York. And this Clinton managed to accomplish in the summer of 1778 with considerable difficulty. There is little doubt that had Washington been properly served by those immediately under him, the retirement might have resulted very disastrously for the British force.

The year 1778 likewise saw the introduction of a new phase of the conflict. France, which up to this time, had maintained an outward neutrality,—running as near the line of open rupture as was possible,—now became an open ally of the revolted colonies, this action being one of the results of the surrender at Saratoga. And from this point until the end of the war the assistance of France, especially at sea, was of inestimable value to the Continental cause. It was the temporary control of the Atlantic seaboard in the south by the French fleet which enabled Washington to make his memorable sweep from the Hudson to the

James, and thus to entrap Cornwallis at Yorktown; for Britain the crowning disaster of the whole war. It was felt in some quarters that the entry of France into the struggle would be a decisive factor in influencing the French population of Canada to make common cause with the victorious Continentals. Had France sided with the colonists at the outset of the conflict, this outcome would not have been impossible or even improbable. For the *habitant* had lost little of his old sympathies in the decade and a half which had passed since the *fleur-de-lis* left the walls of Quebec. But as far as Canada was concerned, the crisis had been passed when the remnants of the Arnold-Montgomery expeditions withdrew within the ramparts of Crown Point: the entry of France into the struggle at this late date produced little effect on the people of the province.

The dangers of 1775-1776 had so fully burdened the energies of the authorities that little opportunity was given for that political reorganization for which the Quebec Act of 1774 had provided. And it was the spring of 1777 before the first sitting of the new Legislative Council provided by the Act was held. Its first duties consisted mainly in reorganizing the judicial system of the country, for the revival of the old French Civil Code had rendered this necessary. The system of courts was remodelled and provision made that in every case of importance, an appeal might be made to the Legislative Council or a committee of not less than five of its number appointed, if necessary, to try the cause. The greatest difficulty was, however, found in making matters run smoothly. Naturally enough, the judges chosen were of British descent, for the authorities could as yet hardly be expected to intrust the whole administration of civil justice to others. And Britons on the bench soon became hopelessly lost in the intricacies of the French system.

It was at this point, too, that the province was deprived of Carleton's guiding hand; his successor being General Frederick Haldimand. Haldimand was a Swiss by birth,

but had spent most of his years in the British army and had served with considerable distinction in the Seven Years' War. It is said that he expected a command in America during the early part of the Revolutionary War, but in this he was disappointed, having been sent to the West Indies instead. Thence, in 1777, he was appointed to the governorship of Quebec, but found it impossible to assume his duties until the following year, so that Carleton was obliged to remain in the province until the summer of 1778. This he did out of pure fidelity to duty and with little heart, for he was thoroughly convinced that the minister then in charge of colonial affairs, Lord George Germain, was striving to render his task as irksome as possible. On his return to England, Carleton published a defence of his administration, in which he showed in a convincing manner the magnitude of the difficulties with which he had had to contend.

Haldimand's appointment was a striking example of the dangers involved in "swapping horses while crossing a stream," for he reached the province when a second invasion was not beyond the range of possibilities, in which event Carleton's resources and prestige with the people would have been invaluable in meeting such. Still, Haldimand was far from a weakling; and while he had neither the tact nor resource of his predecessor, his bluff courage and unswerving determination in all things did much to compensate therefor. In fact, it is this unbending sternness which knew no compromise with opposition which has earned him from several writers the appellation of a gubernatorial tyrant who knew no law but military force, and no method of effecting tranquillity save by repression. Thus, it has been charged that he imprisoned citizens by the hundred on the merest suspicion of disloyalty, and that innocence was no protection against the whisperings of his spies who carried their surveillance into every walk of life. But an examination of the papers left by the governor and comprised in the comprehensive Haldimand collection, now in the Archives at Ottawa, will show that for most of his

acts the governor had sound reasons. Especially after the entry of France into the struggle it was impossible to be certain who were or who were not really dangerous in the province, and the officials were probably justified in making watchfulness the handmaid of security. When it is remembered that not a single suspect—and there were many whose treason was beyond question—suffered execution, and that very few were detained in custody more than a few months, one may well conclude that Haldimand's "tyranny" consisted in little more than a justifiable policy of nipping sedition before it ripened into treason. The main accusations against him, especially those of Du Calvet, a meddling Huguenot colonist, have been quite discredited, for there is indisputable evidence to show that this fellow himself was traitorous; having abetted the cause of the revolted colonies in every way.

Haldimand was impressed with the danger of another Continental invasion of the province, and it was his aim to strengthen all the frontier posts as far as his resources would permit. The post at Niagara was made especially strong, and from that point the famous Butler Rangers, with their Indian allies, under Chief Joseph Brant, ravaged the colonial frontiers with more zeal than the necessities of the case demanded. But the operations achieved their purpose of compelling Washington to divert a portion of his forces to the task of defending the Pennsylvanian and Virginian frontiers. To this detachment fell the task of devastating the territories of the Iroquois, who, under the influence of Brant, had been induced to lend support to Butler's operations. A good deal of nonsense has been said and written with respect to the British policy of employing savages in the Revolutionary War. Many American writers have been unsparing in their vituperation on this point; it has remained, however, for one of the most gifted of their number, the erudite and many-sided Fiske, to show that the authorities of Congress sought savage alliances with as much zeal, but with less success than the agents of the British crown.

If Britain utilized the services of Indians in her campaigns to a much greater extent than did her colonies, it was only because her influence with the tribes, secured in various ways, gave her this advantage; it was not because her military ethics were inferior. Taken as a whole, the frontier operations produced lasting bitterness, caused enormous losses of life and property under the most harrowing circumstances, while they brought meagre returns in the way of credit or advantage to either party.

The surrender at Yorktown, on October 19, 1781, virtually ended the conflict as far as America was concerned, but as the colonies had bound themselves to make no peace with Great Britain save with the consent of their French ally, the negotiations looking toward peace were unusually protracted. This was especially the case since France, now that the colonies were irretrievably lost to Great Britain, turned avaricious eyes toward the western territories in the hope that territorial recompense for her aid in the war might there be had. But the reestablishment of French power in the New World was a feature which none of the colonies would entertain, and, in the end, France got little but revengeful satisfaction and a huge debt for her share in the struggle. By the Treaty of Versailles, signed September 3, 1783, Great Britain definitely and formally recognized the independence of her thirteen former colonies. An attempt was made to define the future boundaries between Canada and the now independent States in the course of which all the regions south of the Great Lakes, including the Ohio valley, were handed over to the latter. The north-eastern boundary was defined with inexcusable vagueness, permitting, in later years, a series of disputes which led the countries concerned to the brink of open rupture. The British plenipotentiaries strove hard to secure from the colonial agents a pledge that the Tories or those who had, during the war, remained true to the cause of British connection, should not be molested. Already during the campaigns many of these had suffered for their stand, and it was apparent

that the failure of Great Britain to put down the Revolution would allow colonial wrath to be visited upon them relentlessly. But the agents of Congress would give no more than a hollow promise that this body would use its influence with the different States to treat the Tories, or "United Empire Loyalists," as they are known in British history, with some consideration. Indeed, to have done more would have been an unwarranted assumption of authority on the part of Congress, for its control over the States was at this time a very precarious one. So the Tories, on the conclusion of peace, received little mercy; despoiled of their property and sometimes in actual danger of their lives, their only alternative was emigration. Canada was destined indirectly to profit by their persecution. In the United Empire Loyalists who flocked across the borders during the years following the conclusion of peace are to be found the true pioneers of Ontario, the premier province of the present Dominion; while in Nova Scotia and New Brunswick the Loyalist influx gave a timely impetus to sluggish provincial development. To British Canada and to the development of British Canadian character the Loyalists were what the Puritans were to New England. In the crucible of persecution was generated a grim determination to hold to cherished principles even at the cost of hearth and home.



CHAPTER XII

THE STRUGGLE FOR CONSTITUTIONAL GOVERNMENT, 1774-1791

THE close of the war in 1783 gave the authorities of Canada an opportunity to turn their attention to the affairs of civil government, for during the course of the last eight or nine years, while the provisions of the Quebec Act had been in force, the civil and judicial administrations of the province had not been organized with such thoroughness as to render their smooth working possible. But even the demand for perfecting the machinery of government had to go unsatisfied, while arrangements for the settlement and care of the Loyalists engaged the energies of those in official places. From the very outset of the struggle, Canada had received some accessions in the way of emigrant Tories, but these were not considerable. It was during the years 1783 and 1784 that the real influx came, and in a way that taxed the resources of those whose duty it was to give the newcomers places in their adopted province; for instructions had been issued that out of the ungranted lands of the province abundant provision was to be made for all who came. In this matter Haldimand showed his usual zeal; new townships were surveyed along the upper St. Lawrence and in the vicinity of its junction with Lake Ontario. Around Kingston and the Bay of Quinte, large numbers of those Tories who had actively taken up arms on behalf of the mother country during the war—Butler's Rangers and other

like corps—were given allotments, while others were scattered westward as far as the Detroit district. Nova Scotia, New Brunswick, and Cape Breton Island also received and provided for their large quotas with commendable alacrity. Quebec proper received a few thousand, who took up lands at various points. At the outset, the idea that Canada was a military province without constitutional government deterred many from migrating from their homes in the various States, but the glowing reports of the earliest arrivals as to their reception and treatment, as well as of satisfactory political conditions soon brought over larger numbers. Most of the Loyalists came either by sea to the Maritime Provinces, or by way of Lake Champlain and the Richelieu to the St. Lawrence. Those from New York came, for the most part, by way of Oswego and across the lake; those from Pennsylvania and the south trekked overland to Niagara or Detroit. But, no matter what the route, the journey was not without bitter privations and hardships; and history affords, in modern times, few instances of privations and hardships so cheerfully borne.

How many Loyalists left the thirteen colonies for Canada during and after the war, it is not easy to estimate. Some American writers have placed the number as high as one hundred thousand, which is much too high. Half that number would, in fact, be a figure erring, if anything, on the side of liberality. It was, however, not alone their number but their sterling character which rendered them unique among immigrants; for the Loyalists were drawn from the best element among the population of the thirteen colonies. Clergymen, lawyers, physicians, men of business and skill in the arts, were found among them in strikingly large numbers; the whole general average of education and culture was hopefully high. Immediately on their arrival in Canada, the immigrants were met by government officials, who gave them their allotments, together with, in most cases, a supply of implements and seed. Cattle were likewise, in many cases, bestowed upon the new settlers, and

where necessary, government rations were served out until they became self-supporting. A royal commission investigated the claims of those whose properties had been confiscated by the revolted States, and distributed among those who proved their statements compensation amounting to over fifteen million dollars. Hardship, however, did not end with settlement, for thousands of the Loyalists, reared in comparative luxury, found the task of subduing the wilderness both difficult and discouraging. Nor was nature always kind. In 1788, the crops failed in many parts of the British provinces, and the bitter privation which ensued has caused its memory to come down in Canadian history as the "Hungry Year." But the stubborn persistency of these pioneers enabled them, in due course, to turn misfortune into success. A series of bountiful harvests gave the settlements an air of prosperity; churches and school-houses began to rise, the log shack gave place to the commodious dwelling, and the bitter fight for the necessities of life gave way to comparative comfort, if not opulence. It was the sons and grandsons of these men who during 1812-1815 defended Canada from the onslaughts of foreign foes, and who carried her safely through the internal disorders of 1837. Their descendants have contributed in unusual proportion to the soldiers, statesmen, and scholars of the Dominion. To be the descendant of a United Empire Loyalist is an honor reverently and deservedly treasured by those Canadians who enjoy that high privilege at the present day.

The Loyalist influx was indeed the making of Upper Canada, but in regard to the lower province the aftermath of the war was of a different nature. Among the French-Canadians the failure of the British authorities to crush the Revolution engendered a feeling of distrust in the military powers of Great Britain; the prestige won at Quebec in 1759 was ruthlessly dissipated in the *habitant's* mind by the disasters of Saratoga and Yorktown. There were not wanting those who firmly believed that, had France insisted at the close of the war, Canada would have been restored

to her. Those who entertained any such view, however, overlooked the fact that the victorious colonies on the seaboard would never have consented to anything of the kind. Haldimand could not fail to notice this sentiment, and many of his apparently arbitrary acts were dictated by a knowledge of its existence. One of the most delicate questions with which he had to deal about this time was in regard to the *habeas corpus* procedure. As this procedure was unknown to French law there was some doubt whether it had been authorized by that provision in the Quebec Act of 1774 which extended the criminal law of England into the province. During the course of the war the procedure was not countenanced, but now resort to it was permitted with the full concurrence of the governor. This and various other incidents serve to show that Haldimand was far from being the vice-regal despot which historians of French Canada have too often tried to paint him. That he was guilty of imprisoning, without reason, all who ventured to criticise his policy is a charge which does a well-meaning and able administrator a rank injustice. He was placed in a difficult situation,—that of administering a dependency with a not too friendly population at a time when the mother country was deep in the slough of humiliation. It was his fate to serve under the worst minister—with perhaps a single exception—who ever undertook to guide the destinies of Great Britain, and the marvel is not that he held the colony firm in its allegiance, but that he kept it out of the wide vortex of strife which the home authorities by their blundering were likely to precipitate wherever the slightest opportunity afforded itself.

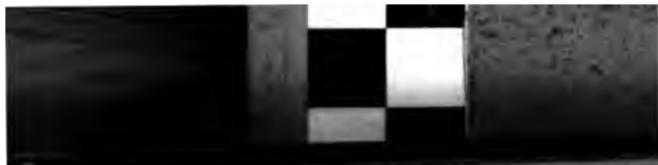
Haldimand went home to England in 1785, and for nearly a year a suitable successor was not found. For a time it seemed as if Haldimand would return to the colony. However, during the summer of 1786, the position was accepted by Sir Guy Carleton, lately created Lord Dorchester. The reappointment of Dorchester was hailed enthusiastically by the colonists, who retained favorable

recollection of his energy and tact. During the interim, Hon. Henry Hamilton, had acted as administrator, and it was during his tenure of the post that the Habeas Corpus Act was incorporated into the statute law of the province. This measure met with general approval, although it was for a time proposed to exempt religious communities composed wholly of females from its operations, a proposal which, however, was dropped with the approval of those most immediately concerned.

The first few years of Dorchester's administration were uneventful and in strange contrast with the stormy years of his first governorship. Unlike his predecessors, he was placed at the head of administration, not alone in Canada proper, but in the maritime provinces of Nova Scotia and New Brunswick as well. The governors of these provinces had heretofore held themselves directly responsible to the home government; henceforth they took the title of lieutenant-governor and exercised their functions under the supervision of the governor-general; a change which made for uniformity. Along with Dorchester had come out to the colony a new chief justice in the person of William Smith. Smith had been a denizen of New York before the Revolutionary War, and after some dilatoriness had taken side with the Loyalists. The statement of American historians is to the effect that he waited until 1778 to see how the fortunes of war would go before making his decision; but at any rate he found himself at the close of the war compelled to leave the colonies. Returning to England he formed a friendship with Carleton, who now, apparently, recommended him for the post of chief justice. Smith had high ideas of the supremacy of English law, with the result that some of his decisions considerably disturbed the prevailing legal ideas. In fact, the legal system of the country, even before his arrival, was far from being satisfactory, for the lines which sought to delimit the respective spheres of English and French law were very vaguely drawn. The judges followed one or the other system as the equity

of the case seemed to warrant. Smith's attitude in no degree mitigated this, and there was an increasing complaint from all sides. The attorney-general, Monk, lent his assistance to those who complained most loudly, and Chief Justice Smith was commissioned to conduct an inquiry into the administration of justice with a view to recommending improvement. A great deal of contradictory testimony was heard in which different witnesses attacked the character and conduct of some of the judges. That the existing system was more or less unsatisfactory was abundantly proved; how much more or how much less was not so clearly shown. As might have been expected, the investigation led to no result; the authorities were probably well advised in letting matters alone, for anything short of a complete reorganization of the whole system would have availed little. Monk's action in championing the cause of discontent found little favor with the authorities, and he was dismissed from office as having taken an attitude inconsistent with his position as a law officer of the crown.

Under the inspiration of Dorchester an investigation was undertaken of the state of education in the province, and an endeavor was made to devise some plan for the establishment of a college as well as for the improvement of the secondary schools. These latter were at the time exceedingly few and poorly equipped. The Jesuits had ceased teaching and there was hardly a regular school in the whole province. As a result, in 1790, an act was proposed assessing each parish for the support of free schools. It was suggested that the "Jesuits' Estates" lands might be utilized for the endowment of a college, but so many difficulties were encountered in this direction that the proposal was abandoned. Likewise the proposal to tax the parishes came to nothing owing to the strong opposition encountered in all parts of the province. This commendable attempt to furnish the rising generation with the opportunities of at least an elementary education found itself opposed by the hierarchy as well as the laymen of the colony.



Sir Francis Bond Head.

Lieutenant-governor of Upper Canada, 1835-1838.

Both portraits are from the Sir Gilbert Parker Collection.



Major-general Sir Isaac Brock.

Who received the surrender of General Hull at Detroit.

During the administration of Dorchester, one may trace the beginnings of the effective agitation for the abolition of the system of seigniorial tenure. During the quarter of a century or more which had elapsed since the conquest, it had become abundantly evident that the old system of land tenure was retarding the development of the province. A committee of the Council took the matter up, and, after investigation, reported in favor of the substitution for the old tenure the British system of tenure in free and common socage. No such change could, however, be effected without the consent of the home government, and this the Council proposed to ask. But a very vigorous opposition was at once encountered from the seigniors, who believed that the change would lessen the incomes from their lands. It was represented to them that the impetus to colonization which would follow the adoption of the new system would speedily result in increasing the value of their lands, but to little avail: the opposition of the seigniors was a united one, and the proposal was temporarily dropped, but only to be renewed from time to time until its final adoption in 1854.

Ever since the passing of the Quebec Act, there had been a movement for the establishment of a House of Assembly. This had been fostered almost exclusively by the English-speaking section of the population, for it was firmly believed by them that, although they constituted a minority of the provincial population, the exclusion of Roman Catholics or the apportionment of members among the towns to a larger proportion than population warranted would result in giving them control of any representative body that might be established. Those interested in the propaganda employed as their agent in England Mr. Lymburner, a Quebec merchant of considerable ability and influence, who was amply provided with petitions numerously signed and asking for such change in the Quebec Act as would put an end to the legal chaos then existent as well as give the people, through their representatives, a share in legislation. Likewise, there was a movement among the western or Loyalist settlements.

These had developed steadily in point of population, and now began to show a strong desire for a more suitable system of government. A considerable portion of this population desired that the western settlements should be grouped into a separate province with a distinct administration, thus freeing the English-speaking people of the west from the necessity of taking into consideration the desires of the French-Canadians on every matter of importance.

As early as 1789, the home authorities had given the matter of reconstructing the Canadian Constitution considerable attention, and had asked Dorchester to report his opinions as to the form which this should take. Dorchester expressed his views with great moderation: it was his belief that no drastic changes should be made; that gradual improvements both in the legal and political systems would effect the best result in the end. To the establishment of a provincial administration with an elective Assembly in the western districts he was opposed, declaring that such a measure would be premature; nevertheless, he did recommend that a lieutenant-governor should be named to assist him in the administration of this section of the colony. The home authorities, despite this report, decided that the results to be gained from a separation of the colony into two provinces were greater than Dorchester seemed to suppose, and a decision to this effect was accordingly made late in the year. At once arose difficulties regarding the delimitation of boundaries. The British authorities had not yet surrendered to the government of the United States those frontier posts which, in accordance with the provisions of the Treaty of Versailles, were to have been handed over to the new republic. The reason for this retention was, as is well known, the allegation on the part of the British authorities that Congress had not fulfilled several stipulations which the treaty contained. Now the question arose whether, in the delimitation of boundaries for the new western province, the territories in which those frontier posts were situated should be included or excluded. If the former, the United

States would undoubtedly take reasonable umbrage at an action which, on the face of it, purported to make a permanent disposition of the lands and posts in question by incorporating them into a new province; if the latter, the settlements in question would be left without administration and their control virtually disclaimed. In consequence, it was decided not to attempt any definite description of the western boundaries at all. Having decided upon the separation of the colony into two provinces, to be known as Lower Canada and Upper Canada respectively, the home government went exhaustively into the question of the most suitable form of government for each. Chief Justice Smith, at the request of Lord Dorchester, submitted his views, in the course of which, it is of interest to note, he foreshadowed the ultimate disposal of the whole Canadian question in a general confederation of all the provinces. His scheme contemplated the retention of a governor-general as chief executive head of all the provinces; the establishment of a general Legislative Council, the members of which should be appointed and hold office for life, together with a Legislative Assembly composed of delegates elected by the Assemblies of all the provinces. This proposal, while rightly considered impracticable at the time, distinctly outlined the main features of that confederation which it took more than another three-quarters of a century to accomplish.

Having decided to separate the provinces and to give to each an elective Assembly, the ministry introduced, during the session of 1791, a bill embodying these principles. The responsibility for the drafting of the measure lay chiefly with Pitt who was thoroughly in sympathy with the proposal to make the government of the colonies more representative in its nature. Doubtless the outbreak of the French Revolution and the feeling that the influence of this democratic upheaval would manifest itself among the French of Lower Canada in the form of a growing republican sentiment had some influence upon the attitude of the ministry. When the measure was introduced, Mr. Lyburner, who

represented the English minority in Lower Canada, appeared to oppose it. Those whom he represented were only anxious for a representative Assembly provided it were constituted on such a basis as would prevent any domination of the House by the French element. The separation of the provinces, together with the free admission of Roman Catholics to the franchise and to membership in the House, as contemplated by the bill, together with the absence of any provision giving additional members to the urban districts where the English-speaking element predominated—a feature which Lymburner had strongly urged—all this served to effect a sudden *volte face* in the attitude of those who had most loudly clamored for representative government before the details of the measure became known. What Mr. Lymburner now desired on behalf of the English-speaking population of Lower Canada was the total repeal of the Quebec Act of 1774; the continued union of the colony in one province; the establishment of a representative House of Assembly; the use of English common law in all criminal and civil cases with the exception of those which concerned land tenure, dower, and inheritance; the full recognition of the *habeas corpus* procedure and of the right to jury trials in civil cases. He was willing to concede the right of Roman Catholics to seats in the House of Assembly, but only on condition that the French predominance which this would ordinarily ensure, should be guarded against in the distribution of seats. But the ministry was determined that there should be no open mockery of representative government, and Mr. Lymburner's arguments carried little weight, although he claimed to represent the views of "the most respectable and intelligent of the French-Canadian majority, as well as the English-speaking minority"; a claim it must be said, which contemporary evidence proves to have had little basis in fact.

The debate on the bill was a long one and was marked by some bitterness. In the annals of British parliamentary history it is notable as having been the immediate cause

of the memorable quarrel between Edmund Burke and Charles James Fox. The two had been intimate political and personal friends. But assuming different attitudes toward the revolutionary upheaval in France they quickly became estranged. During the course of the debate on the bill Fox took the ground that its provisions did not go sufficiently far in giving the colonists absolute control over their legislative and executive affairs. What he desired was that the new governmental organizations of the Canadian provinces should be exact reproductions, in miniature, of that provided by the British Constitution itself. To give them such was the alleged purpose of the ministry, but as Fox pointed out, the fact that the Legislative Council was not an elective body, would, in time, bring it into conflict with the representative body. Subsequent history amply verified Fox's statements. Similarly, he opposed the separation of the provinces on the ground that this would tend to accentuate the division between the two races, whereas a close unity would encourage assimilation. Burke supported the bill as a conservative measure, but his speeches dealt little with its provisions. Rather he used the opportunity for one of his memorable onslaughts upon the state of affairs in France and the danger which attended concessions to the cause of republicanism. The debate drew forth from the eminent orators some bitter personal asperities, and created a breach between Burke and Fox, which, during the remainder of their lives, was never wholly closed. By a considerable majority the bill passed the House of Commons, and, despite a strong opposition in the House of Lords, became law, going into force as the new constitution of the two Canadas on the 26th day of December, 1791.

This Act, officially known as the Canada Act, but more commonly called the Constitutional Act of 1791, repealed such parts of the Quebec Act as were inconsistent with its provisions. The division of the provinces was provided for with provisional boundaries outlined, the names Lower and Upper Canada being officially given to the older and

newer sections respectively. Provision was made for the vesting of executive power in each province in the hands of a governor nominated by the crown and assisted by a similarly nominated executive Council or Cabinet. Legislative power was vested, in the first instance, in the hands of a Legislative Council and an Assembly in each province. The members of the former were to be appointed by the crown, to hold office for life, and were to be in Lower Canada not less than fifteen in number; in Upper Canada, not less than seven. The Speaker, or presiding officer, of this Council was to be named by the governor on behalf of the sovereign. Members of the Assembly, on the other hand, were to be elected by the people of the respective provinces from electoral districts which the governor of each province was empowered to delimit. The franchise for voters in rural districts was extended to all owners of land (either in freehold or in feudal tenure) to the value of forty shillings per year over and above charges on such holding; in the towns the qualification was fixed at five pounds sterling in the case of freeholders, and ten pounds sterling per annum in the case of leaseholders. The total number of members in the Assembly of Upper Canada was to be not less than sixteen, and in Lower Canada not less than fifty, and in all cases a plurality of votes was to be deemed sufficient for election. No person was to be allowed to be a member of both Council and Assembly at the same time, while no clergyman was to be eligible for election to the Assembly of either province. The assemblymen were to be elected to serve four years; were to be convoked in session at least once each year, but the House might be prorogued or dissolved at the pleasure of the royal representative. The two Houses were given equal shares in legislation; the governor being given power to grant or withhold the royal assent to all bills passed by them or to reserve such as he might deem necessary for review by the home authorities. The latter were, likewise, to receive copies of all bills assented to, and might disallow any

of them within the space of two years. Provision was made for the setting apart, in each province, of a considerable proportion of the ungranted crown lands, to be later used for the support and maintenance of a Protestant clergy. This allotment was to equal one-seventh of all the lands already granted or to be thereafter granted. It was further provided that the crown might make regulations and issue instructions to the governors as to the manner of applying these lands for the purpose named, and likewise that the legislatures in each province might vary any provision in relation to the application of the lands for purposes of endowments, but only with the royal consent which was not to be granted in opposition to the will of either House of the provincial legislatures. It was these provisions which gave rise to the long controversy known in Upper Canada as the question of the Clergy Reserves—a controversy which did much to accentuate political differences and to increase existing bitterness. Peculiarly enough the British Parliament reserved to itself the right of regulating, by the imposition of duties or otherwise, all trade and commerce to be carried on between the two provinces or between either of them and other British dominions or with foreign lands, but the net proceeds of all duties so imposed were to be placed at the disposal of the legislatures in the respective provinces, to be applied to public expenditure as they might see fit.

Such were the provisions under which the government of the two provinces was carried on for a full half century. That the Act went a considerable way in the direction of increased colonial autonomy will not be denied, but in giving equality of legislative power to elective and appointive Houses it opened the way for rivalry and deadlocks. It has now become a truism that in Anglo-Saxon countries, at any rate, a representative House will insist on its own supremacy over a non-representative body. Fox distinctly pointed out this feature at the time, but his warnings went unheeded. It took the turmoils of a rebellion in



CHAPTER XIII

THE WAR OF 1812-1815

IN the course of the Revolutionary War, Canada had been made to suffer severely for no other reason than that she had refused to follow the lead of the British colonies to the south in a quarrel with the mother country. The colony,—or rather the disunited provinces,—were now to be called upon to undergo much the same experience as a further price of British connection. In the evolution of those causes of friction which finally led to open breach between Great Britain and the United States of America the Canadian provinces had little or no part. The quarrel was decidedly not of their seeking; as was apparent to every Canadian, a struggle with the rising republic was certain to be pregnant with danger and barren of any conceivable advantage. That a population of a quarter of a million could prove capable of defending itself against an attacking population twenty-five times its numerical strength was not to be hoped. Still, the outbreak found the Canadas far from cowering. They viewed the opening conflict with regret, but once compelled to defend their territories, undertook the task resolutely, perseveringly, and with enduring credit. There is no chapter in their history which Canadians may read with more quiet satisfaction than the annals of the gallant campaigns of defence waged by their forefathers in the War of 1812-1815.

To understand properly the chain of causes which led to this Anglo-American rupture, one must trace the sequence

of great events in European history since the French Revolution. The Bourbons had been swept from the throne of France, and a quasi-republic had been established. Successful opposition to a monarchical system in itself formed a basis of friendship between post-revolutionary France and the United States, and American sympathies were strongly with the new régime. And the same was true, though perhaps to a less decisive extent, of certain classes in Great Britain and in the other countries of Europe. But the new French republicanism was of that aggressive type which, while freely admitting the inalienable right of a people to choose their own political system, leaves nothing undone to mould the choice in a republican direction. An attempt to conduct a republican propaganda in the monarchical states of Europe soon led the new French republic into hostilities with those states; an unequal contest in which the former showed a regenerated vigor as unlooked for as it was effective. Strength and efficient organization without, chaos and weakness within, were the features which marked France as an anomaly among states till the rise into political power through channels of military brilliancy, of Napoleon Bonaparte, first as Consul and later as Emperor, gave France her first relief from internal anarchy and political disorganization through the establishment of an imperial system which was more thoroughly centralized than that of the Bourbons had been even in the days of Louis Quatorze.

From these military struggles Great Britain had not been exempt. As early as 1793 she had joined the foes of France on the continent and had aided them liberally with both men and subsidies. But the genius of Napoleon proved more than a match for the numerical superiority of his enemies and the successive victories of Marengo, Austerlitz, Ulm, and Jena laid practically the whole of Western Europe at his feet. Britain was forced to take refuge behind her twenty miles of Channel and it was only the victory of Nelson at Trafalgar which saved her the necessity of facing the conqueror on her own shores. Foiled in

his plans to crush British opposition by direct military pressure, Bonaparte had resort to another method. Believing, as did most Frenchmen of his day, that in the foreign commerce of Great Britain lay her sole strength, he essayed to ruin this trade.Flushed with his victory over Prussia at Jena he issued from the Prussian capital in 1806 his famous "Berlin Decrees" designed effectually to force the "nation of shopkeepers" to his terms. In the main these decrees forbade the sale of British goods in any part of Europe then subject to French control or suzerainty. Commercially, Great Britain was to be isolated effectively from the rest of Europe. The British authorities promptly issued their retaliatory Orders in Council forbidding all neutral States to trade with France or her allies except by way of British ports, and asserting the right and intention of British naval forces to enforce this dictum. In return Napoleon bombarded Britain with his "Milan Decrees," ordering the destruction of all goods of British manufacture wherever found; an action to which the British authorities replied by the issue of a further series of commercial proscriptions. To Great Britain this paper blockade was by no means a commercial fatality. Her naval superiority, and the urgent demand for her goods abroad, enabled her to evade the Napoleonic injunctions with more or less facility. That Napoleon himself winked at wholesale evasions is shown by the fact that his ill-starred expedition to Moscow in 1812 was clad in greatcoats which were the products of British looms. But against neutral States these commercial recriminations operated severely and in this regard the United States was perhaps the chief sufferer. As the latter was the only great carrying state which had not as yet ranged itself on the side of either antagonist, the United States looked with reason to the free enjoyment to its own profit of those advantages which accrue to a neutral carrier in time of war. But it found that Napoleonic decrees and British retaliatory measures had effectually prevented anything of the kind. If an American vessel sought to carry

goods direct to the ports of France or her allies, then she was liable to seizure by the British cruisers patrolling the Channel and adjoining seas. If, on the other hand, she sought to carry on trade with those ports by way of Great Britain she was rendered liable to seizure by the French authorities upon arrival at her destination.

The American authorities protested in vain both at London and Paris against the prohibitive measures; but as the young republic was not yet willing to undertake the task of teaching the proper duties of belligerents toward neutrals to both France and Great Britain, and as neither seemed to deserve chastisement in this regard more than the other, the American authorities were obliged to content themselves with the passing, in 1807, of the Embargo Act, forbidding American vessels from trading directly or indirectly to any foreign port. This was a drastic stroke, the brunt of which fell upon the American carrier himself, and it was accepted by the Americans with no very good grace as the price of their weakness. Shortly afterward the Embargo Act was repealed in favor of a Non-Intercourse Act, which prohibited American vessels from trading with France or Great Britain, but allowed trade with the rest of Europe. This Act, likewise, provided that the prohibition would be raised as against whichever of these two states would agree not to molest American shipping. France in due course took advantage of this offer, but by no means carried out her share of the bargain, and this was made by Great Britain the ground of a refusal to accede. The result was, therefore, an increased estrangement of the British and American governments. Then there was the question of the right of search. Owing to a multitude of causes, desertions from the British navy were frequent, and the naval authorities, finding it difficult to keep the naval force up to its proper war footing, had resort at various times to the practice of searching foreign vessels in British ports and on the high seas in quest of these runaways. Again, under the stress of war it was found necessary to order the impressment

of sailors from the British mercantile marine in order to man the naval vessels, and for this purpose the pressgang frequently gathered batches of sailors in the various seaports and on the high seas. Nor did those engaged in the work of impressment or the capture of deserters always perform their tasks with due discrimination. Not infrequently American citizens were mistaken for British sailors, and sometimes for British deserters. Some of the impressed seamen had certificates of citizenship from American consuls, but these were refused recognition, the British authorities declining to accept certificates except when issued by the Admiralty Courts. The incident of the *Chesapeake*, a United States frigate, which was fired upon by his majesty's ship *Leopard*, disabled and searched, while several sailors, bona fide citizens of the United States, were taken from her, was only one of the various instances in which the American authorities had just cause for vigorous protest.

In this claim to the exercise of the right of search it is not to be concluded that Great Britain was alone. France claimed the right just as fully and searched American vessels when deemed necessary. But the dissimilarity of language prevented those mistakes in citizenship and identity which too frequently marked the exercise of British claims with peculiar odium.

The election of Madison to the Presidency did not better matters in any way, for he represented a political party with strong Anglophobe inclinations. The expenditure of a little tact and the making of a few concessions on both sides might possibly have prevented the war. But the diplomacy on both sides was marked by an unfortunate absence of elasticity and the countries drifted into a war which the people of neither really favored. The formal declaration was issued by President Madison on June 19, 1812, after both branches of Congress had ratified the proposal by decisive majorities.

Despite the fact that the United States had thrown down the gauntlet, her military and naval authorities had in no

way adequately prepared themselves for the conduct of vigorous campaigns. The regular army numbered less than seven thousand men while the large contingents of volunteers called for by Congress failed to come forth in encouraging numbers. The authorities in many of the States showed a marked lack of enthusiasm, while the supply of arms, accoutrements, and general military equipment was strikingly deficient. The lack of trained officers was likewise severely felt.

On the Canadian side there were in readiness approximately six thousand effective regulars, but, as a defensive war usually produces no dearth of enthusiasm, the call for volunteers found a ready response in almost every section of the provinces. Likewise, the Canadian authorities could count upon the assistance of Indian auxiliaries in considerable numbers, and, as afterward proved, the assistance of these was not without importance. Still, Canada was far from being adequately prepared for even a defensive campaign, and it was only the commendable energy of Major-general Sir Isaac Brock, then interim administrator of Upper Canada, that enabled the first attempt at invasion to be resolutely and effectively thwarted.

of Great Britain and to be "restored to the dignified station of freedom," stands as a monument to Hull's stupidity. His threat to conduct a war of extermination, should a single Indian ally of the British deign to obey his natural instincts in defence of his own territories, gives history the alternative of regarding him as a butcher or a braggart.

About the middle of July, Hull's force crossed the river with the intention of attacking Fort Malden, near Amherstburg, garrisoned by Colonel Proctor and a small force of regulars and militia, but lately reinforced by the Shawnee chief Tecumseh and a band of his picked warriors. But before reaching his objective Hull's advance guard suffered a reverse, while about the same time news reached him that Fort Mackinac, at the head of Lake Michigan, had been surprised and taken by a small force of regulars and Canadian voyageurs. Fearing that his communications might be cut off behind him, Hull hurriedly recrossed to Detroit. Meanwhile, Brock was hurrying to the scene with reinforcements of both regulars and militia. On his arrival, he conferred with Tecumseh—a meeting enshrined in song and story—and the two agreed that Detroit should be attacked without delay. Sending a force of Indians to threaten the town from the rear, Brock utilized his remaining forces, numbering less than one thousand four hundred men, white and red, for the main assault. But the preliminary artillery duel was sufficient to shatter whatever courage Hull possessed, and, on August 16, 1812, a capitulation was concluded. This included not alone the town, but the entire territory of Michigan, together with his force of over two thousand men with their arms and accoutrements. For the weaker side this was an encouraging opening. American disappointment rightly vented itself upon Hull who was courtmartialled and sentenced to be shot; a penalty which was not, however, inflicted. Brock, immediately after the success, left for Toronto where he found, much to his disgust, that General Prevost, governor of Upper Canada, had agreed with General Dearborn, the

American commander-in-chief, upon an armistice. But the Washington authorities refused to recognize the agreement and operations were renewed. The interval had given Dearborn a needed opportunity to reorganize and strengthen his disposable forces. Thus strengthened, he set Harrison to watch Proctor, now in command at Detroit; gave General van Rensselaer charge of the expedition which was to cross at Niagara, and took personal command of the operations in the Lake Champlain district. On October 13, 1812, Rensselaer crossed the Niagara, and took up a defensible position at Queenston Heights. Brock hastened to effect a dislodgement, but was killed and his force beaten back. Meanwhile, the British and Canadian forces were being rapidly reinforced, while Rensselaer tried in vain to bring over fresh troops to strengthen his position. But his militia on the other side of the river refused to cross, pleading constitutional scruples for their recalcitrancy. Thus reinforced, General Sheaffe, to whom Brock's death had given the command, circumvented the position and gallantly carried the heights with the bayonet, forcing an unconditional surrender. The prisoners on this occasion numbered well on to one thousand men of all ranks; of whom the regulars were sent to Montreal as prisoners, but the militia were paroled. The British loss, though numerically small, was rendered unfortunately severe by the death of the gallant Brock, a dashing and manly soldier; a noble column on Queenston Heights stands as the tribute of a grateful country to his worth and service.

Van Rensselaer having resigned his command, General Smythe assumed charge, and at once asked for an armistice, which Sheaffe granted, though unwisely, since the mobilizing powers of his opponents were obviously greater than his own. The breathing space was used by Smythe to good advantage in securing over four thousand troops for a proposed crossing near Fort Erie. This he attempted to carry out toward the end of November, but a most determined resistance caused the project to be abandoned as the

lateness of the season precluded any hope of tangible progress.

Upon the army of the north, operating in the direction of Lake Champlain, even greater hopes had been staked. For here, Dearborn personally commanded a formidable array of nearly ten thousand troops. The objective was Montreal, but the lateness of the season,—for it was November before Dearborn got his advance under way,—all but excluded the probability of ultimate success. Furthermore, a reconnaissance in force against the British post at Lacolle, near Rouse's Point, failed miserably; it was found that the whole militia force of Lower Canada was massed along the Richelieu, while the news of Smythe's inability to cross at Niagara, had its depressing effect. Taking these things into consideration, Dearborn wisely determined to retire into winter quarters at Plattsburg, deferring his invasion till the following spring.

As far as the land operations of 1812 were concerned, the defenders of Canada had been signally successful. The American forces had shown little enthusiasm, for the war enjoyed only a meagre popularity with the people, especially in the New England States. At sea, however, the republic showed a vigor and capability which was as effective as it was unlooked for. Several important naval duels were fought, in which the optimistic confidence of the British commanders, aided by the superior seamanship and gunnery of the Americans, gave the latter a number of striking successes. Perhaps the most notable of these was the victory of the American frigate *Constitution* over the British *Guerrière*, the vessels in question being of not unequal offensive strength. American privateers also wrought abundant havoc among the merchant vessels of Great Britain, and insurance rates rose to an unprecedented point.

During the winter no important hostile operations on land were undertaken by either belligerent. The legislatures of both Canadian provinces held their usual sessions and proceeded to grant sums of money for the prosecution

of the war; sums which, considering the limited resources of the country, were liberal indeed. The American authorities, on the other hand, utilized the time in massing men and stores along the frontier as well as in collecting a strong naval force at Sackett's Harbor on Lake Ontario. According to the new plan of campaign, General Harrison was left to deal with Proctor in the west, General Hampton was given charge of the force in the Lake Champlain district, while Dearborn himself took command of the army of the centre. Operations were opened early in the spring by a successful attack upon the American post at Ogdensburg, resulting in the destruction of the barracks there. But this episode was soon more than neutralized by the result of the expedition from Sackett's Harbor against York, now Toronto, the capital of Upper Canada. With a fleet of fourteen vessels, Commodore Chauncey and General Dearborn left port on April 25, 1813, and proceeded without opposition to the capital, which was then defended by Sheaffe and a force much inferior to that of his opponents. After a brisk fight on April 27th, during which the defenders contested every

thousand men then in Fort George, held out till scarcity of ammunition and increasing reinforcements on the side of the besiegers forced him to evacuate the post on May 27th and retire to a defensible position on Burlington Heights. This important success gave the Americans complete possession of the whole Niagara frontier. Settling himself in the new position, Dearborn sent a force of nearly four thousand men to pursue Vincent and to drive him from Burlington Heights. Had Vincent awaited his arrival, disaster would probably have befallen the disheartened and ill-equipped British force. So it was decided to attempt a night attack upon the advancing Americans, and this exploit was intrusted to Colonel Harvey with a picked force of seven hundred men. After a night march, conducted in absolute secrecy, Harvey fell upon the republican forces in camp near Stony Creek, and on June 5th administered a severe defeat, causing them to retire hurriedly and allowing Vincent again to assume the offensive. Detachments were thrown out to watch further movements from Fort George, one of these, under Lieutenant Fitzgibbon, being stationed at Beaver Dams, near the present site of Thorold. Dearborn sent out a force of some six hundred men under Major Boerstler to effect its surprise and capture; but Fitzgibbon received timely warning of his advance, through the heroism of Mrs. Laura Secord, the daughter of a United Empire Loyalist, who undertook the perilous and difficult tramp of twenty miles from Queenston to Beaver Dams to put him on his guard. Fitzgibbon's Indians suggested an ambush, which was quickly prepared; and although Boerstler had not been forgetful of due precautions, he found himself surrounded and compelled to surrender to a force numbering less than half his own. By these two unexpected successes Vincent was able to confine his opponents to Fort George; in fact, Dearborn fully expected Vincent to attempt its recapture.

But in other parts the American arms had been more favored by fortune. A British flotilla setting out from Kingston, under Commodore Yeo, attempted the capture

of the American naval base at Sackett's Harbor, but was repulsed with considerable loss, although not before it had inflicted damage to the fortifications and stores. On Lake Erie, Commodore Perry commanding the American squadron, on September 19th succeeded in destroying, after a desperate conflict, Captain Barclay's flotilla of six British vessels, thus securing undisputed mastery of Lake Erie. The main importance of this success lay, however, in the fact that it rendered it dangerous for Proctor longer to attempt to hold Detroit and Amherstburg. At any rate, Proctor thought so, although on this point Tecumseh held a different view. However, the latter was persuaded to acquiesce, and, the fortifications at both points having been destroyed, the force set out to effect a junction with Vincent in the Niagara peninsula. The distance was somewhat over one hundred and eighty miles. It was late in September when Proctor moved eastward, heavily encumbered by a large baggage train, which resulted in his being able to march only nine or ten miles a day. The colonel probably thought he would not be pursued for he neglected the precaution of burning the bridges in his rear. But Harrison did not propose to allow him to escape with such facility and set off in pursuit with a flying column of nearly four thousand troops. At Moraviantown, on the Thames, Proctor found himself overtaken, and, on October 5th, compelled to give battle. In the early stages of the fight Proctor himself took to flight with an alacrity which stands in marked contrast with his dilatory movements of the preceding days, leaving Tecumseh to continue the unequal combat. The result was decisive in favor of the invading force: the British and Indian column was annihilated and the gallant Tecumseh met his end. With a small force of stragglers Proctor made his way to join Vincent. The expected approach of Harrison induced Vincent to betake himself once more to his position on Burlington Heights, leaving all the western and Niagara peninsulas in American hands. But Harrison did not advance further, and with

the approach of winter the forces at Fort George recrossed the river, not, however, before General McClure, who was in command of the Niagara frontier, had burned the Canadian village of Niagara and turned the homeless inhabitants out into the snow. For this wanton act, General Drummond, arriving at the frontier, effected an equally cruel retaliation in the burning of undefended villages on the American shore.

But to turn to the army of the north. The strategy of its operations contemplated a twofold attack on Montreal. The first expedition under General Wilkinson, proceeded from Sackett's Harbor about the middle of October and embarking on vessels and bateaux, descended the St. Lawrence; while the second, under Hampton, was to march from Plattsburg across to the Châteauguay and follow that stream to the St. Lawrence, there effecting a junction with Wilkinson's force for the attack on Montreal. But both commanders met with difficulties which upset their calculations. Wilkinson in his progress down the St. Lawrence found himself so harassed by a force of Canadians proceeding concurrently along the north shore that he landed part of his force a short distance below Fort Wellington, the present site of Prescott, to disperse them. These latter, however, took up a position at Chrysler's farm in what is now the township of Williamsburg, and under Colonels Morrison and Harvey repulsed the Americans, forcing them to their boats with severe loss. Meanwhile, news reached Wilkinson that all had not gone well with his colleague in arms, Hampton. During the preceding winter the American forces had equipped a small flotilla of gun-boats on Lake Champlain, but during the early summer these were lost during an abortive attack on the British post at Île-aux-Noix, on June 5, 1813; while an expedition from the latter carried the war into the enemy's territory by capturing Plattsburg on July 31st, and destroying the barracks and stores at that point. Thus, Hampton encountered unexpected reverses even before his expedition

was able to get under way. It was September before he was able to set out, and even then some valuable time was lost in doubling back, owing to a change of decision as to the route. As he was known to have nearly six thousand men, the checking of his advance seemed to the Canadian authorities as difficult as it was momentous. The task was intrusted to Colonel De Salaberry and his force of French Canadian militia, who presented such a determined resistance to Hampton's forces at the ford of the Châteauguay on October 26th that the latter retired to Plattsburg. The actions at Châteauguay and Chrysler's farm, coming within a fortnight of each other, saved Montreal from a siege. The news of Hampton's retirement decided Wilkinson to abandon his route and to take his forces into winter quarters on Salmon River, near Malone, N. Y. Thence, during the course of the winter his command was transported, part to Sackett's Harbor and part to Plattsburg to await the renewal of operations in the spring of the following year.

On the whole, the defenders of Canada had reason to be satisfied with the results of the campaigns. With the single exception of the post at Amherstburg, not a foot of their territory was in the enemy's possession. On the ocean the British forces had, during this year, made a somewhat better showing, due, it must be owned, in a considerable measure to the new-born respect for the power of their opponents which now led the naval officers to temper their zeal with discretion. The famous duel between the American *Chesapeake* and the British *Shannon*, resulting in the destruction of the former, was, perhaps, the most striking feature of the year's naval operations. But American cruisers still preyed voraciously upon British shipping.

In Europe, Great Britain had cause for elation, as her great antagonist, Napoleon, had, in 1812, suffered disaster in his invasion of Russia. This stupendous error told heavily upon the military resources and prestige of the emperor; his foes fell in overwhelming numbers upon his exhausted legions, and were driving him in full retreat to his own

capital. Thus relieved in Europe, the British authorities prepared to meet the American operations of 1814 by the despatch of considerable reinforcements, including seasoned veterans of the Peninsular army. And none too soon, for the campaign opened early. An attack on Lacolle, made on March 30, 1814, by a force operating from Plattsburg, was repulsed; but as a set-off against this came the failure of the British to make effective use of their naval superiority on Lake Ontario, although much had been expected from the opportunity to attack Oswego and Sackett's Harbor. However, the main operations during this closing campaign of the war were carried on in the Niagara peninsula. The republican authorities determined to concentrate their attention on this district and massed at Buffalo a well-organized force under Major-general Brown. Although not a soldier by training, Brown had many of the qualities which go to make up a successful leader, and he was well supplied with capable subordinates. On July 3d a crossing was effected at Fort Erie, which was at once invested and forced to capitulate; no great feat, however, for it had been left with a garrison of barely one hundred men, since every effort was being made by the British to strengthen their main body, which, under General Riall, was charged with the task of resisting Brown. From Fort Erie the whole American force pressed on down Niagara River and came into touch with Riall at Chippewa. On July 5, 1814, the forces of both commanders were engaged in a vigorous fight in which Riall was decisively worsted and forced in full retreat to Fort George, while Brown took up his position on Queenston Heights, some six miles away. When the news of the defeat at Chippewa reached the eastern section of the province, troops were hurried westward under the command of General Drummond, while Brown lay inactive awaiting the coöperation of the American flotilla on Lake Ontario in the reduction of Fort George. But Isaac Chauncey, who commanded the squadron, would not venture out of Sackett's Harbor, and Brown, after a considerable

loss of time, decided to abandon the projected attack on the fort and to retire toward Chippewa with the view of deceiving Riall; then to make a rapid march across to Burlington Heights, a position of well-known strength. Riall, however, followed closely and was strongly reinforced by Drummond, who, on his arrival, took command by virtue of his seniority. The forces joined battle at Lundy's Lane, a short distance above Chippewa. Here, on July 25th, was fought the most stubborn conflict of the whole war. Various historians have differed considerably as to the numerical strength of the respective combatants, attributing superiority to one or the other as their predilections seem to have demanded. From the official returns we know that Drummond's force numbered two thousand eight hundred and forty men of all ranks, of whom about twelve hundred did not arrive until several hours after the fighting began. The strength of Brown's force is not easy to estimate; it was, however, not less in numbers than that of his opponent. Kingsford republishes a return, purporting to have been published by General Ripley, of the American force, which places the figure at four thousand nine hundred. But the circumstances under which this return seems to have been

which they occupied and proceeded to strengthen. Drummond, in due course, followed up and laid siege to the post. Several weeks passed in assaults and sallies, operations and counter operations, which gave little advantage to either side and resulted in losses out of all proportion to their results. Early in November, Brown destroyed the fort and withdrew his forces to Buffalo. In Upper Canada these were the last operations of the war.

But the theatre of combat had not been confined during 1814 to the Niagara peninsula. In the extreme west and in the east the hostilities had been vigorously carried on. In the west a strong force from the Mississippi had been directed to the capture of Mackinac, which had fallen into British hands early in the war, but the garrison had been luckily reinforced and managed to beat off the besiegers. A mounted force from Detroit penetrated as far as Grand River late in the summer, but retired after some skirmishing. In the east, operations of considerable magnitude had been planned for the year. The hands of the mother country being freed in Europe, large bodies of troops arrived at Quebec during the early summer, and, with the exception of one brigade, which was sent to Kingston, these were massed in the Richelieu district for the projected capture of Plattsburg. As a matter of fact these troops would have been of much greater service in the defence of the Niagara district, where Drummond was sorely pressed for men, but Prevost, who commanded in the east, was laboring under the impression that Montreal was in constant danger of an attack from Plattsburg. During September he perfected his plans and set off from Chambly with a force of about ten thousand men, most of whom were newly-arrived regulars. A small flotilla on Lake Champlain was expected to coöperate with his land force. But Prevost, by his impetuosity and lack of judgment rendered this coöperation impossible; the flotilla was encountered and destroyed by the American armed vessels on the lake, whereupon the British commander, who had arrived almost at his objective point, abandoned his plans

and retreated without striking a blow, a proceeding which ranks him with Hull in point of incompetency and resulted in his censure and recall. So astounding were his tactics that the American commander at Plattsburg regarded the withdrawal as a *ruse de guerre* and refused to be drawn into a pursuit. So without molestation, but with heavy losses through desertions and the abandonment of stores, the inglorious expedition made its way back to Montreal.

The events of 1814 at sea deserve some mention, although they are but indirectly connected with the history of Canada. The lessening of French aggression allowed the relaxation of the blockade which had employed the bulk of Great Britain's disposable ships, and attention could now be given to the American coast cities with the idea of putting an end to their Canadian expeditions by forcing the maintenance of large garrisons on the Atlantic seaboard. In consequence, an energetic blockade of the whole eastern seaboard of the United States was undertaken, while General Ross, with a strong force of regular troops and marines, was convoyed to an attack upon some of the seaboard towns. Washington was the first city singled out for assault, and on August 25, 1814, Ross's force landed unopposed and,

unable to support the landing party, which, after a sharp brush, in which General Ross was killed, withdrew, foiled. Finally, General Keane, who succeeded to the command, sailed southward, with the view of supporting a detachment which had already been stationed at Pensacola, in Spanish territory, for the purpose of aiding the Creek Indians, who had been active against the republican cause in the west. The influence of Tecumseh had, at the outset of the war, been instrumental in gaining various western tribes to his side, not always with desirable results. The Indians under his immediate control were held within reasonable bounds, but the Creeks, being off by themselves, pursued what was little more than a savage and merciless butchery throughout the southwest. It is to the discredit of the British authorities that their assistance was not repudiated instead of being, as it was, actively abetted. General Andrew Jackson performed no small service in clearing this force out of Pensacola, but his greater work was performed in the defence of New Orleans. Keane arrived at that point late in December, and, after landing his troops some little distance off, gave over his command to General Pakenham, who had just arrived. The latter decided to take the city by storm, and made his attempt on January 8, 1815. But Jackson had shown capital skill in his construction of the fortifications, and his forces maintained a courageous and effective defence. Pakenham himself was killed, while one of his columns was thrown back in such confusion that the other was hurriedly recalled. In the assault the attacking force had lost very heavily; in point of actual numerical loss it was, in fact, the severest blow sustained by the British during the whole war. From New Orleans the expedition proceeded toward Savannah, which it intended to attack, but the announcement of peace intervened. In addition to the coast operations, there were in 1814 numerous naval conflicts, in which the American vessels, for the most part, maintained the standard of effective aggressiveness shown in the early stages of the war.

The negotiations looking toward the consummation of peace had been in progress since August of 1814, but on the question of the right of search neither belligerent was willing to compromise. But the close of the Napoleonic campaigns seemed to remove those conditions which had rendered the issue an important one, and in the end it was tacitly agreed to leave this matter just as it stood before the war. A treaty, commonly known as the Treaty of Ghent, was signed at that place on December 24th,—some time before the operations at New Orleans had occurred,—and was in due course ratified by the high contracting parties. In it, provision was made for the mutual restoration of territories and prisoners; a commission was to delimit boundaries in regard to which the two powers were not at one; while both agreed to use their best endeavors to secure the entire abolition of the slave trade.

The conclusion of peace gave unconcealed satisfaction to both belligerents, for while neither was for a moment willing to entertain an admission of defeat, one was as heartily tired of the war as the other. Yet withal, the war of 1812-1815 had not been without its lessons. It taught the lesson that in a popular defensive war, a small population, such as was that of Canada at the time, has a military efficiency which cannot properly be determined on a basis of mere numbers. The fact that after three years hard campaigning the American forces had not been able to obtain secure possession of a single foot of the thousand or more miles of Canadian frontier which lay open to them, is no small tribute to the zeal and efficiency with which the invasions were met. On the other hand, the events of the war gave a rude shock to the feelings of those optimistic Britons whose confidence in the ability of the "mariners of England" to guard their native seas was well-nigh unbounded. The successes of the American frigates and privateers taught the admiralty that even the weak and despised navy of a hostile state was capable of inflicting incalculable damage on the world-wide commerce of Great

Britain. Had the British naval forces been more skilfully utilized, the damage would undoubtedly have been considerably reduced; the scattering of the fleet in distant parts, leaving the Irish Sea and the Channel without adequate protection was one of the greatest of errors.

Apart from the damage suffered, the expense of war had been heavy. In Canada the legislature met the financial problem at the outset by authorizing the issue of convertible notes commonly known as "Army Bills." These were of different denominations from one dollar up to two hundred dollars, among which only those over one hundred and twenty-five dollars bore interest. Some little time later authority was given for the issue of small notes to serve as a fractional currency. Altogether army bills amounting to nearly five millions of dollars were issued during the war, and answered their purpose admirably. It was provided that the bills might be exchanged at any time for government bills of exchange on London at thirty days' sight, and the people accepted the notes with thorough confidence. Toward the close of 1815, a proclamation called in the notes, redeeming them in cash at their face value in the case of the smaller notes, and with four per cent interest in the case of the larger. This experience, almost unique in the history of issues of this kind, engendered a hearty confidence in the national credit and would have proved very helpful in assisting similar arrangements at any later period had national exigencies so demanded. But while the mother country bore the burden of the expense in this regard, it must not be forgotten that Canada, in proportion to her resources, was called upon to bear an even greater share of the total pecuniary loss which the war had involved. The general disorganization of business extending over almost four years; the damage and devastation which marked the path of the enemy's expeditions, together with the inevitable legacy of pensions and annuities all served to mulct the colony heavily as the price of its loyalty to the crown. But while the struggle lasted the lavish expenditures

CHAPTER XIV

LOWER CANADA UNDER THE CONSTITUTIONAL ACT OF 1791

DURING the summer of 1792 Lower Canada held its first general election. Down to the conquest in 1759 there had been absolutely no recognition by the French authorities of the right of the people to control their own affairs. Nor could the France of the old régime reasonably have been expected to endow her colonies with that which she did not herself possess. And during the first few decades succeeding the conquest the presence in the province of an overwhelming population of alien extraction, totally unhabituated to the forms of representative government seemed to render it advisable that no elective Assembly should be granted. In fact, the Quebec Act of 1774, expressly set forth this inexpediency. But since the passage of that Act the British government had been taught by her American colonies several important lessons in the science of colonial administration. Lower Canada had been preserved to the mother country during the stormy times of the Revolutionary War if not by the strict loyalty of the French-Canadians at any rate by the fact that disloyal counsels were not accepted by the population in general. Some writers have endeavored to attribute the failure of the Montgomery-Arnold expeditions to the enthusiastic loyalty of the French-Canadian *habitant*. But as has been shown in the previous chapter no such position is warranted by the

remember the generosity and unfailing support of the Bourbon sovereigns. It was principally to this church, staunch champion of legitimate monarchy, that one must very largely attribute the attitude of the *habitant*. In this connection, however, the Constitutional Act of 1791 was a very timely stroke, for while it did not, as has been pointed out, fully satisfy the demands of the predominant race in Lower Canada, it went sufficiently far in that direction to have an appreciable influence. The combined result of these features was, that when the emissaries of the new French Republic made their way to the colony with the avowed design of conducting their republican propaganda, their reception was discouraging in the extreme. Even the legislature made haste, during the course of 1794, to enact legislation conferring on the governor-general summary powers in dealing with revolutionary agitators. This was the so-called "Alien Act," which, among other things, required every alien, on arrival in the colony, to declare his identity on oath. Citizen Genet and his friends were actively prosecuting the interests of France in the United States, and the legislators of Lower Canada were determined that none of his agents should cross the border with impunity. And in order to secure himself against any possibility of trouble, Dorchester, in the following year, ordered the provincial militia to be held in readiness. Some companies were stationed at points where outbreaks were most likely to occur, while a few persons whose loyalty was not wholly above suspicion were taken into custody. But on the whole, the echo of the Revolution was but slightly heard in Lower Canada, and, by 1796, the danger, if there had ever been any, was by all conceded to be past.

In that year, Lord Dorchester took his departure from the province to be succeeded by Major-general Robert Prescott. During his long term of service, Dorchester had won the confidence and esteem of all classes. His courage and energy, his tact, his shrewdness, and common sense, as well as his generous personal interest in the affairs of the

colony had endeared him to one and all. Especially were the people grateful for his unselfish efforts in the cause of constitutional liberty, and it was with deep regret that they learned of his impending departure. The home authorities, recognizing his great capabilities as a colonial administrator, strongly urged his continuance in office, but without avail; Dorchester was firm in his determination to retire from active political life. His successor, Governor Prescott, was a soldier by profession and had seen much service in the Revolutionary War. On one memorable occasion he had been taken prisoner by the Continental forces, but was afterward exchanged for General Charles Lee. After the conclusion of peace Prescott returned to England, and before long was again in the service against France. Commanding, later, a successful expedition against Martinique, he became governor of that colony, but before long his health failed and the ministry now sought to give him a more congenial post in Canada. Immediately upon his arrival a general election took place, but little change in the composition of the Assembly resulted. Prescott had soon occasion to put the loyalty of his new legislators to the proof, for there had been a revival of intrigue on the part of French agitators acting under the directions of Adet, the French minister at Philadelphia, who had himself addressed a circular letter to the French-Canadian population calling upon them to prepare to take up arms on behalf of regenerated France, which, he declared, having crushed the powers of continental Europe, was about to assert a mastery over Great Britain. Prescott viewed these intrigues with what proved to be somewhat needless alarm, for neither the machinations of Adet's agents nor his personal circular evoked any tangible response. What Prescott feared more particularly was that the authorities of the United States would lend support to the movement, but his fears in this direction were groundless, for to see France once more firmly rooted in North America was one of the last things which public opinion in the United States desired. The

Assembly of Lower Canada, however, hastened to strengthen the hands of the governor-general by reënacting the Alien Act, which was a temporary measure only and now about to expire; by suspending the privilege of *habeas corpus* and by giving the executive authorities power to arrest and detain in custody all persons suspected of seditious designs.

A touch of the tragic was lent to affairs about this time through the McLane episode. David McLane, an American citizen whose ill fortune in business had engendered in him a spirit of recklessness, was one of Adet's numerous agents. Coming to Quebec, he undertook to unfold an absurd scheme for the capture of the citadel by drugging the garrison, while a force of men from across the border would overawe the other strongholds of the province. McLane was at once arrested, on May 10, 1797, convicted, and on July 21st barbarously executed; while an illiterate *confidant* named Frichtet was sentenced to imprisonment for life, but was later pardoned. In the excitement of the moment these harsh measures seemed necessary as deterrents, but the saner opinion of later days has regarded the unfortunate McLane as having been a more fit subject for the asylum than for the scaffold. It is difficult to believe that the barbarities which attended this execution could have marked the administration of British justice on the eve of the nineteenth century.

During the next two or three years the history of Lower Canada is comparatively barren of striking events. Routine laws of little importance continued to be enacted and supplies were granted as freely as the slender revenues of the province permitted. Year by year there was a considerable deficit, which had to be made good out of the reserved revenues of the crown. But on the whole, executive and legislature worked harmoniously together. In 1799, the ministry decided to allow Prescott to return to England, still retaining the nominal title of governor-general and retaining the emoluments of the office, amounting to some ten thousand dollars per annum, while Sir Robert Shore

Milnes was sent out to perform the actual executive functions with the title of lieutenant-governor of Lower Canada. Previous to his departure, Prescott had not been on the most amicable terms with some of his constitutional advisers because of a difference of opinion as to the disposal of the crown lands, and of this the home authorities were aware. But the general opinion in the colony seems to have been that Prescott was on the right side in the controversy, and that those who opposed him were moved to do so by their own pecuniary interests. By his Canadian contemporaries, at any rate, he was regarded as an upright official who tried to do his duties faithfully and well.

Milnes, like his predecessor, was a soldier, and like him, had served as governor of Martinique. One of his first official acts was to bring to the notice of the ministry the inadequacy of the salary attached to the position of lieutenant-governor, and with successful results, for a substantial increase was granted. The historian Christie has preserved for us the records of salaries paid to the various officials of the day. Many of the hardworking administrative servants received scant enough remuneration, while, as in Great Britain, there was, on the other hand, no dearth of sinecures.

In the opening year of the nineteenth century the authorities undertook to deal with the question of the Jesuits' estates. As has been already pointed out, this order had, during the old régime, used its influence with the monarchy to its own enrichment, so that, at the time of the conquest, it possessed well on toward a million acres of the best lands of the colony. But the order had, during the course of the next century, fallen into disrepute with the higher authorities in various countries; the Jesuits had been expelled from Spain and France in 1764. Finally, in the interests of harmony, Pope Clement XIV. thought it well, in 1773, to suppress the order altogether, and it remained so till its revival by the Papacy in 1814. After the suppression of the order, the remaining Jesuit priests in Lower Canada

were permitted to enjoy the emoluments arising from those estates which had not been previously disposed of, but death soon thinned out their ranks, and in 1800 the last survivor passed away. It was, therefore, decided that the estates should be sequestered to the crown, and Milnes was instructed by the home authorities to arrange for this end. The Assembly was anxious to obtain control of the revenues, but was not insistent on the point, and the lands went to the crown. Milnes recommended, in December, 1800, that the annual income should be devoted to educational purposes, to which the British authorities, while expressing a general approval, did not pledge themselves.

About the same time, the lieutenant-governor forwarded to his superiors an interesting statement, statistical and descriptive, of the general condition of affairs in the province. In this report he placed the population at one hundred and sixty thousand, from among whom, in an extremity, a defensive militia force of about thirty-eight thousand men could be drawn. The expenses of maintaining the military establishment of the colony are estimated at about a million dollars annually, to which must be added an annual average deficit in the administration of civil government amounting to about sixty thousand dollars; all of which had to be made good by the home government. The report contained an excellent review of the relations of Church and State, and is, in many ways, an able state paper, showing Milnes to have been a capital investigator and a lucid writer.

During the early years of the century a movement was begun having for its purport the "establishment" of the Anglican Church in the province. For this result, Bishop Mountain, of Quebec, an able and popular Episcopal clergyman, was extremely anxious, but in a province where Roman Catholicism was so overwhelmingly predominant such an end was by no means easy of accomplishment. Milnes, for his part, desired to recommend nothing which would antagonize the Roman Catholic hierarchy, to whose purely political

power he gave well-estimated weight. In fact, he was especially concerned that the Roman Catholic hierarchy should form a bulwark to the executive, and he endeavored to arrive at some understanding with Monseigneur Plessis, who then held the post of Bishop of Quebec, although since the conquest the civil authorities of the province had never formally recognized the possession of this title by any other than the Anglican bishop of that diocese. But Plessis, who was decidedly the ablest political diplomatist that Canadian Romanism had known since the days of Laval, made the official recognition of his title the *sine qua non* of support, and this was not forthcoming until after Milnes's term of office had expired. Plessis formulated other requests as well, but no action was taken in regard to these.

In 1805, the question of abolishing the seigniorial tenure system in the province was discussed and a bill providing for commutation of the seigniorial dues through private voluntary compacts between the seigniors and the *habitants* concerned was introduced, but was never passed or even voted upon. The introduction of this bill, however, may be looked upon as the first step in the long movement for commutation which did not culminate till a half-century later. In the same year, Milnes, having obtained leave of absence, returned to England, leaving as administrator the Hon. Thomas Dunn, who at the time was senior executive councillor. Milnes expected, if the sojourn improved his health, to return to the province in the following year; but after having his leave extended from time to time until 1807, he finally resigned the post. Throughout his absence, Dunn continued to supervise affairs wisely and well. Although an Englishman by birth, Dunn had been several years in the colony, had acquired an estate there, had married a daughter of French Canada, and possessed a wide and favorable acquaintance with the people. His régime opened under most auspicious circumstances, his first official task in relation to his Assembly being to communicate to the members the news of the glorious Trafalgar. The two years

of his tenure of office passed without incident, save for a spirited encounter between the Assembly and certain of the provincial newspapers, whose criticisms of legislative action had seemed too harsh to those with whom fault had been found. The sergeant-at-arms was sent to Montreal to arrest two of the offending editors, but on arrival he found that they were not within reach, and the matter was allowed to drop. A Quebec editor, however, being within easier grasp, was brought to the bar of the House and forced to apologize for having made some allusion to the Napoleonic despotism of the Assembly in press matters. There seems to have been, however, no connection between these difficulties and the fact that about the same time the first issue of the famous *Le Canadien* appeared. This publication, the avowed object of which was to stand for the preservation intact of French institutions, language, and laws, was destined to play a most important part in the history of Canadian journalism, a part, however, not altogether to its credit. From the outset, it assumed a position of irreconcilable antagonism to the executive, to the British minority, and to the industrial and commercial as distinguished from the agricultural interests. It was published entirely in French and had a large con-

immediate danger, at any rate, had passed. In the autumn, Sir James Craig, the new lieutenant-governor arrived. Craig owed his appointment largely to the strained relations still existing between the motherland and the United States, which seemed to make it advisable to place an experienced soldier at the head of Lower Canada's affairs. The new lieutenant-governor had had his full share of active service in the Revolutionary War, having been wounded at Bunker Hill and numbered among the surrendered at Saratoga. When the later war with France began, he was once again in service, but ill health forced him to leave the field for the time being, and it was with the hope of a speedy recuperation that he now accepted the offer made to him by the ministry. In his political predilections Craig was a Tory of the extreme type, and he came to the colony with his mind steeled against any further concessions to liberalism. Hence, it was not long before his relations with the Assembly were far from cordial. The latter, during the first year of his term debated and passed with an approach to unanimity, a resolution condemning the practice of judges taking part in political affairs. But in this resolution the Legislative Council failed to concur. Likewise, the Assembly, in accordance with the general religious intolerance of the times expelled the representative from Three Rivers, Mr. Hart, who was a well-to-do and respected citizen of that town, but a Jew. Again his constituents returned him, and again he was expelled. After his third election the House undertook to pass a bill for the general disqualification of Jews from candidature for election, whereupon Governor Craig ordered its dissolution, upbraiding the legislators, and, at the same time, complimenting the attitude shown throughout the session by the English-speaking minority. This action served to place the executive in full antagonism to the Assembly: an antagonism which *Le Canadien* did its best to accentuate. But the elections showed the confidence of the electorate in their representatives. And no sooner had the new Assembly met than it placed on record its opinion that

"any attempt to censure the proceedings of the House by approving the conduct of a minority and disapproving that of the majority in an official address" was "a breach of privilege and an attack on the liberties of the province."

Craig now began to assume a more conciliatory tone, which the Assembly at once accepted as a confession of weakness. Friction arose over the matter of granting supplies, and, the Assembly, not being able to procure the assent of the Legislative Council to its bill for the disqualification of judges, promptly declared vacant a seat in the House held by Judge de Bonne, of the Court of King's Bench. But Craig was not thus to be outgeneraled, and quickly resorted to another dissolution. The English-speaking section of the province supported him firmly, while the French inhabitants as warmly commended the Assembly. The governor had thus produced the unfortunate result of identifying racial and political differences. A more experienced political strategist would have striven to avoid openly antagonizing the dominant party in the colony—would at least have tried to disintegrate its opposition. But Craig's training as a soldier led him into the error of attempting to crush a constitutional majority. And not content with his attempt to stifle opposition in the Assembly by his official weapon of dissolution, the governor undertook to muzzle opposition in the press. Of the four or five organs of public opinion in the colony, only one, *Le Canadien* supported the Assembly; the others upheld the executive. But the bitter incisiveness of the little French organ galled Craig sorely, and a warrant was sworn out for the arrest of its publishers. Press, paper, and printers were seized by a squad of troops, while a number of prominent sympathizers with the opposition were arrested and held for a time; to be later released without trial. This harsh action was justly resented by the people, who so strongly manifested their opinions at the ensuing elections, that the new Assembly met in no amicable frame of mind. As the governor had now become convinced that nothing was to be

gained by the Stuart procedure of turning the House out of session, he decided to approach the home authorities with a request for such an alteration in the constitution as would curb the Assembly's power; in the meantime, endeavoring to get along with the House as best he might. With a show of conciliation Craig assented to the bill for the disqualification of judges from seats in the House, and the Assembly passed most of the measures recommended to it by the executive. In the interim, the home authorities had refused to consider his suggestions for the amendment of the constitution, and, the governor, whose health was not improving, took advantage of the lull in colonial animosities to ask relief from office. In June, 1811, he left Mr. Dunn to act again as administrator, and set out for England. Despite his faults, the governor was sincere and honest. Like many military officers, he attempted to be firm and ended by being arbitrary. A steadfast upholder of obsolete theories of government, thoroughly untenable in a growing British colony, his appointment to the post of governor was unfortunate enough; it would have been infinitely more so a score of years later.

Dunn retained his office as administrator only till the arrival, on September 12, 1811, from Nova Scotia, of Sir George Prevost. Prevost had been born in New York before the Revolutionary War, had entered the army, and had seen some service in the West Indies. But he had, as Canadians afterward learned to their disgust, an utter lack of any of the qualities of a successful administrator or even of a good soldier, and the fleeting popularity which he secured on his arrival at Quebec owing to his ability to speak French fluently, soon deserted him. During the years of Prevost's régime the energies of the province were concentrated upon the heavy task of defending its exposed frontiers and little time or opportunity was given for internal political animosities.

The military events of these years are dealt with at length in a previous chapter, and from these the reader

may form his own opinion as to Prevost's worth. After his departure in 1815, Sir Gordon Drummond, the hero of Lundy's Lane, assumed the temporary administration of affairs and found a difficult task in the disposal of the legacies left by the war. The obligations incurred to cover the expenditure had to be discharged; grants of land were to be made to militiamen in recognition of their services and arrangements for pensions and the like demanded attention. All these things were arranged with business-like dispatch before the arrival on July 11, 1816, of Sir John Cope Sherbrooke who had been named to succeed Prevost. Before Drummond's departure a general election had been held, but without any gratifying results as far as the executive was concerned, for most of the old members were returned. Sherbrooke was a veteran of Wellington's Peninsular War, and had been for a time the titular head of affairs in Nova Scotia. He had neither the stubborn doggedness of Craig nor the grovelling subserviency of some of his own successors, and was in many ways well qualified to make an able administrator. But the hostility between legislature and executive, which had somewhat decreased in virulence during the war, was still a factor to be reckoned with, and Sherbrooke lent himself to adjusting the causes of disagreement. In this he was strikingly successful. By a series of wise concessions the weighty influence of Bishop Plessis and the hierarchy was secured in support of those in civil authority; the old animosity of the Assembly toward some of the judges was placated, and to a conference committee of the two Houses was given the duty of adjusting all future differences. In keeping with this new harmony the home government handed over to the Assembly for the first time the task of providing by vote of supplies for the deficiency between the regular crown revenue and the annual expenditure. It was provided, however, that for such votes, the assent of the Legislative Council should also be necessary. This obligation the Assembly willingly undertook.

In the course of three years, Sherbrooke did much to bring about an agreement between the political parties of Lower Canada; it was unfortunate that failing health forced his retirement from office in 1819, when he was succeeded by the Duke of Richmond. Sherbrooke had hardly gone when the two Houses fell to quarrelling again, and the new Conciliation Committee in no way availed to effect a compromise. This time the bone of contention was the Supply Bill. The Assembly decided that no permanent civil list should be granted as in Great Britain, but that all salaries of officials and other expenses of administration should be voted each year as items in the Supply Bill. And it proceeded to pass a Supply Bill for the current year on this plan, cutting out all sinecure offices and useless expenditure. In this bill the Legislative Council refused to concur, so that the colony was left without its supplies altogether. Richmond finally ordered the necessary amounts drawn from the crown revenues. The most striking event of the year was the governor's own tragic death. While on a tour of the two provinces in the summer of 1819 he was bitten slightly in the hand by a tame fox. Before his tour was completed hydrophobia developed and he died before he could return to Quebec. The senior member of the Executive Council, who at that time happened to be Chief Justice Monk, assumed control of the administration but in the following year (1820) the Earl of Dalhousie was transferred from Nova Scotia to the vacant post.

Owing to the death of the sovereign a dissolution of the Assembly was made necessary at this time and the new election took place immediately on Dalhousie's arrival. The result was more decisive than usual in favor of the French element, and the strife with the other branch began anew, and over the same question of supplies. The Upper House placed itself definitely on record by notifying the Assembly that it would assent to no vote of salaries unless such were embodied in a regular civil list granted, as in Great Britain, for the king's lifetime; and as the Assembly

was certain not to concede any such point, the chasm was impassable. To make matters worse, the province now had upon its hands a financial dispute with its sister colony of Upper Canada. Most of the goods imported from abroad came in by way of the Lower Canada ports and an arrangement had been made many years previously whereby Upper Canada was paid a share of the duties collected there. But the latter now claimed that its share was unfairly low and submitted its claim to the home government. Accordingly, the British Parliament passed what was afterward known as the Canada Trade Act, which conceded the demand of Upper Canada. But what had more effect upon the refractory Assembly of the Lower Province was a provision in the Act for the union of the two provinces, which provision, however, was not to go into effect until the feelings of the colonists in both provinces could be ascertained. As such a union would give a deathblow to French ascendancy, the dominant party in the Assembly of Lower Canada bestirred itself to prevent any such eventuality, and in consequence became somewhat more pliable. By way of compromise the estimates were granted in two distinct budgets, differentiating ~~expenditures~~ in which the recommendation of the

of 1827, the Assembly failed to renew the Militia Act, thus leaving the colony without legal means of defence, a neglect which brought another dissolution. But the popularity of the Assembly throughout the greater part of the province was such that this availed nothing. Petitions now began to be numerously signed praying the home authorities to take some action to mend matters, which had now become inconveniently complicated, and in response to these the House of Commons of Great Britain, in the spring of 1828, appointed a committee of twenty-one members to investigate the whole question of civil government in Lower Canada. This committee reported later in the year, advising, among other things, that the Assembly be given full control of all public revenue and expenditure, provision being made, however, for the independence of the executive and judiciary. The regular and casual revenues of the crown were, however, to remain exempt from legislative control as before. In the meantime, Dalhousie's term had expired, and he returned to England. On arrival he submitted to the colonial office that, in his opinion, the proposals of the committee would never solve the difficulties. And subsequent events proved him to have been right in this opinion, for the Assembly showed itself to be after nothing less than the complete control of *all* provincial revenues without condition or reservation whatsoever.

Dalhousie's successor was Sir James Kempt, who held office from September 8, 1828, to October 19, 1830. Kempt had already visited the colony as one of the commanding generals in the war of 1812-1814. He was strongly counselled before leaving England to keep the olive branch held out and showed the result of this counsel by promptly confirming Papineau as Speaker of the Assembly. But the Assembly failed to respond to conciliation and the Supply Bills for 1828 and the following year were granted in the usual niggardly fashion, thus throwing out to the Legislative Council a strong temptation to disallowance. During the sessions of these two years the usual quota

of petitions for redress of grievances was presented, but little important legislation was passed. One Act, however, deserves mention, that which, in 1829, increased the number of members in the Assembly to eighty-four. The main obstacle to any progress in the path of conciliation was the determination of the Assembly to obtain control of the crown revenues, both regular and casual, but, as Kempt pointed out, this could be arranged only through the medium of an Act of the British Parliament, and the crown was not likely to waive its rights in this regard without an adequate *quid pro quo* in the form of a permanent civil list.

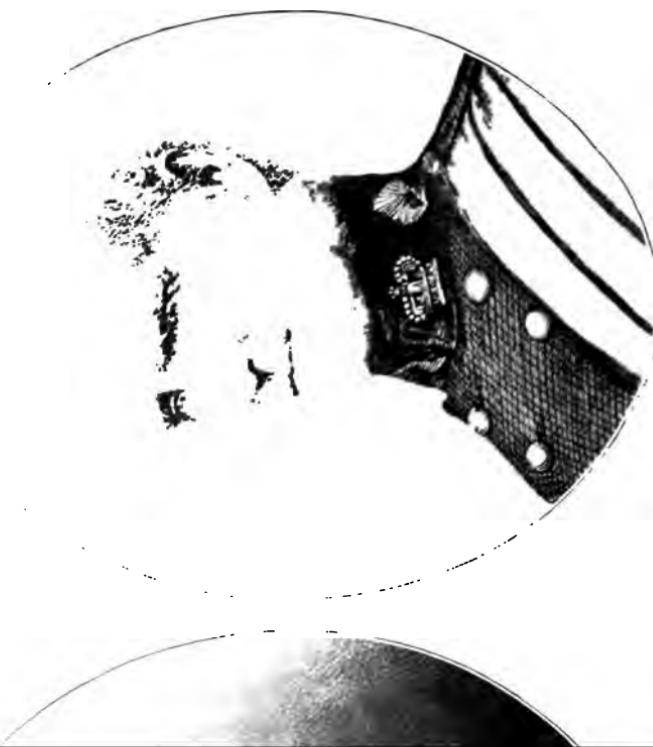
During the years 1830-1832, the eyes of Canadians naturally turned toward the political affairs of the mother country, where the movement for Parliamentary reform was nearing its culmination. The Liverpool ministry had for a decade and a half fought the movement vigorously, but the reform faction had gained a strength in the country which was reflecting itself in Parliament, notwithstanding the anomalies in representation; and not even the prestige of Wellington, who succeeded Liverpool, and the able assistance of the gifted Peel, who supported him, were sufficient



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Gen. Sir John Colborne, Lord Seaton
Lieutenant Governor of Upper Canada, 1837-1851
Portrait by J. W. B. Morris, Montreal.

1837-1851
Montreal.



application to the colonial situation. To Papineau and his friends the issues in the province and at home were akin.

Meanwhile, Kempt's term had expired and his successor, Lord Aylmer, had arrived and assumed control of affairs on October 19, 1830. Like his predecessor, Aylmer adopted from the first an attitude of compromise, but he was fortunate in having agencies of conciliation which his predecessors had not possessed. He had been instructed by the home authorities that the crown was willing to surrender its duties and other regular revenues, amounting to nearly two hundred thousand dollars per year, if the Assembly would guarantee a civil list during the lifetime of the king amounting to half that sum; but the casual and territorial revenues arising from timber dues and the like were to remain, as before, subject to royal control alone. This Aylmer communicated to the Assembly, but the latter demurred, expressing in a resolution its insistence upon the control of the entire revenue, both regular and casual. Even this rebuff in no way disconcerted the authorities of Downing Street, and in 1831 an Act was passed handing over the regular revenues to the Assembly without condition whatsoever, leaving it to the Assembly to provide for the maintenance of administration as it might see fit. Not only so, but the ministry promised to arrange that colonial judges should hereafter be appointed for life and not, as before, during the royal pleasure, and to order their future abstinence from political activities. From this manifestation of political liberality the home authorities justly expected beneficial results in the way of coöperation from the Assembly. But in so doing they misjudged the men who made up the legislature of French Canada. A proposal to grant a permanent civil list of less than thirty thousand dollars was negatived by the Assembly, which likewise proposed that the judiciary, now rendered independent of the executive, should be paid from the casual revenues which the crown had reserved to itself, and not out of the general exchequer. With an unsparing hand, the Assembly continued to cut

down the Supply Bills introduced each session, having gained its point that the items in the bill should be passed upon one by one.

While the British authorities were unmoved to any open show of resentment by this seeming ingratitude, the colonial secretary threw out the hint that the charter of the province might have to be modified if the legislative machine could not be made to work more smoothly, to which the legislature replied in 1834 with its famous "Ninety-two Resolutions." These were presumably the work of Papineau, and proceeded at tedious length to recite the various grievances to which, it was alleged, the people of Lower Canada were compelled to submit. In the resolutions there was little new; most of the grievances had been made the subject of petition at various times previously. These, with a request for their redress, were handed to one of the members of the Assembly, who was despatched to England and instructed to lay the whole before the home authorities. The presentation of the Ninety-two Resolutions in the Parliament of Great Britain added new interest to the discussion of the affairs of Lower Canada, and it was decided to refer them to a committee which had just been appointed to report on Canadian

Legislative Council and the English-speaking section of the population both sought to express their approval of the report with equal emphasis.

While all this was going on, the provincial general elections of 1834 took place, with the result that Papineau and his friends literally swept the country. In an Assembly of eighty-four members he found himself supported by seventy followers, and this overwhelming majority secured his election as Speaker. Lord Aylmer opened the House by the declaration that, owing to the failure of the Assembly and Legislative Council to agree upon Supply Bills during the last two sessions, the home authorities had empowered him to use about one hundred and fifty thousand dollars out of the military funds for the payment of the judges and other officials who, otherwise, would have been left without compensation. In making this announcement, Aylmer referred to the confidence felt by the authorities that this amount would be provided for, as regards repayment, when the next Supply Bill was passed; but the Assembly soon made it clear that since the preceding year there had been no increase in cordiality between legislature and executive. When the previous Assembly had been last prorogued Aylmer had taken occasion to express his opinion as to the true nature of these relations; the House now seized this, its first opportunity, to reply by ordering that this speech be expunged from its journals. Likewise, it proceeded to record its opinion that the payment of officials otherwise than by vote of the House was unconstitutional and reiterated its demand for an elective Legislative Council. Aylmer himself was singled out for attack, some speakers assailing various of his appointments, others declaring that he was responsible for the scourge of cholera then raging, since he had not taken adequate preventive measures. In fact, there was open talk of an impeachment. The governor's reply was calmly to send down the estimates for the current year, but as no notice was taken by the House of his communication he at once decided on its prorogation. Aylmer's

chief fault was in his too literally construing the conciliatory instructions of the colonial office; the attacks made upon him by the Papineau faction were, as far as he was personally concerned, wholly undeserved.

Meanwhile, the representatives of the Assembly in England, Messrs. Roebuck and Viger, continued to put forward the claims of their principal both in Parliament and in the press upon every possible occasion, while in the province the members of the Assembly, deprived by the prorogation from using their eloquence, well tinctured with invective, upon the executive in the House, disseminated it unsparingly among their constituents. For the British propaganda, associations known as "Constitutional Clubs" were formed, and through the media of these the country was flooded with pamphlets and circulars supporting the action of the executive. It was at this stage that the Peel administration resolved to organize a commission for the purpose of studying conditions on the spot. The displacement of Peel by Lord Melbourne made no change in this matter, the plan being acceptable to Melbourne as well. Some little difficulty was found in securing suitable appointees, as some of those to whom places on the commission were

and conceded his willingness to grant all the minor demands of the Assembly in return for a civil list, fixed for a number of years. But on the main question of an elective Legislative Council he was immovable in his opposition, although he was willing that the commission should make this a subject of inquiry.

The personnel of the new commission, which duly proceeded to Quebec in the autumn of 1835, was not such as to warrant any great expectations in the way of results. Lord Gosford was a man of second-rate ability, with no political experience, and his appointment was due to the declination of the abler men to whom the position had been previously offered. Grey had been a member of the Indian Judiciary, while Gipps was a retired officer in the Royal Engineers. All three were, however, men who had many personal qualities other than genius, and might have accomplished a mission of ordinary consequence very creditably. But the problems with which they had now to deal were of no ordinary importance, and would undoubtedly have warranted the selection of much abler and more experienced men. Of the work of the commission, Glenelg was to have a general supervision, and it must be admitted that what was lacking in the subordinates was far from being made good in the person of the superior. The colonial secretary was not lacking in acquaintance with political affairs, having served in several administrations, but he was gifted with little or no administrative ability. His vacillation, his verbosity, his procrastination, and his general lack of sound administrative ideas, served to place him on record as one of the most incompetent of colonial secretaries. Glenelg had carefully primed the members of the commission with instructions to be conciliatory without making any tangible constitutional concessions. It was in consonance with the shallowness of the man to believe that colonists would accept the shadow for the substance.

On his arrival in the colony, Gosford and his colleagues made haste to win the good will of the malcontents by an

open show of amity with their leaders. Promptly summoning the Assembly in session the new governor made the longest speech from the throne in the annals of British constitutional history, enumerating at length the inquiries which he was about to institute and the concessions which he had been instructed to offer on behalf of the British authorities. At rather wearisome length, Gosford emphasized his desire to be strictly impartial and thoroughly open minded. Where the existence of a real grievance should be established by his inquiries, he made it plain that prompt redress would be afforded even if Parliamentary legislation were necessary for the purpose. Finally, he referred to the recent struggle for the Reform Act in the British Houses, and asked the members of the Assembly to follow the example of "forbearance, moderation, and mutual respect there exhibited" by members of opposing political factions. In a flowery peroration Gosford called upon "the offspring of the two foremost nations of mankind" to let bygones be bygones and to assist him in the work of restoring political amity.

The manner in which the Assembly met these conciliatory overtures was ample proof that Papineau and his friends had ulterior motives. The Supply Bill was left for the

already proved itself a complete failure. But the governor-general did not entirely give up hope. He undertook to finance the administration with the crown funds, and, in the meantime, with his two colleagues pursued his work of inquiry. The Assembly had scrupulously refrained from overtly recognizing this task of the commissioners, yet no obstacle was thrown in their way. All were men of more than ordinary urbanity, and found no difficulty in getting into touch with the leaders of both parties.

In the autumn of 1836, Gosford again convened the Assembly to give it a final opportunity of voting supplies, and in the opening address pointed out the extreme urgency of its so doing. But the Assembly remained immovable: no supplies would be granted until a promise should be given that the Legislative Council would be made responsible in some way either to the people or to the Assembly. Thirteen days were frittered away in the discussion of divers grievances, but not a single Act was passed. Even Gosford, who was nothing if not patient, had to admit that the case was hopeless, and at once pro-rogued the House, declaring that the remedy could be now applied only by the royal authorities.

Meanwhile, the commissioners had been sending the results of their inquiries to the home authorities in periodical despatches, and, by the end of 1836, the work had been completed. Gosford remained in the colony, but his two colleagues set off for England. On the whole, the report gave little satisfaction to the Papineau faction, for on the crucial question of a responsible Upper House it sided strongly with the minority in the Assembly.

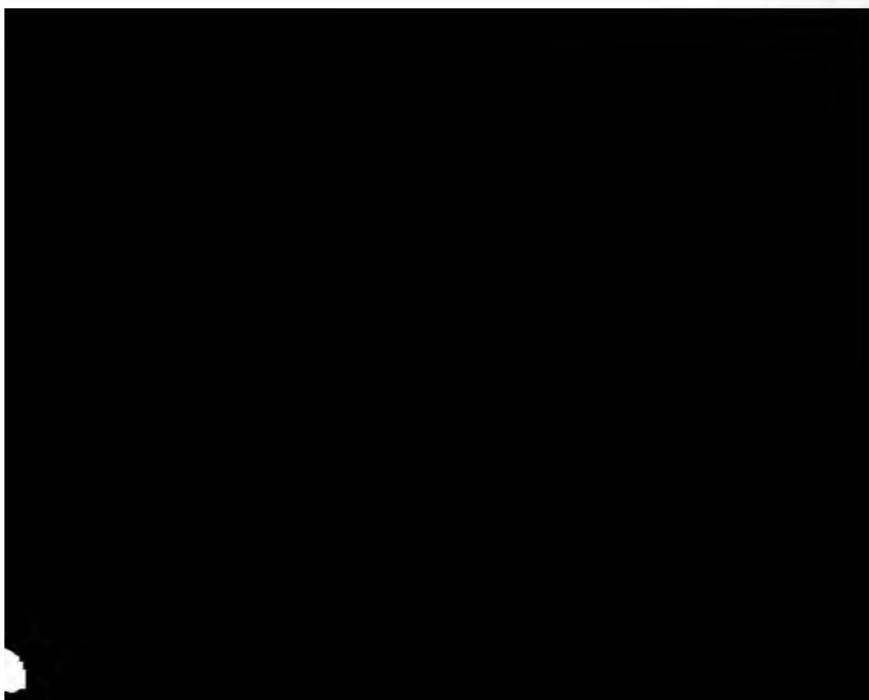
The refusal of the Assembly to vote supplies, thus clogging the machinery of government, was unsparingly condemned, while the action of the Legislative Council in vetoing the "half-loaf" Bill of 1835, was fully justified. In the minds of the commissioners, the concessions offered by Lord Glenelg erred only on the side of amlessness. In general the report bore none of the marks of genius. An

abundance of data was compiled, much of which was later of use to Lord Durham, but the writers showed none of that rare power of generalization and that keen penetration into the more complicated issues which so distinctly mark Durham's great work. In due course the despatches were laid before Parliament and were made the basis of some ten resolutions introduced by Lord John Russell. These recited the fact that supplies had not been granted by the Assembly for several years; that in spite of the efforts of Lord Gosford in the way of compromise the Assembly had refused to recede from its position, and that it was expedient to provide ways and means for the conduct of the administration of the province by placing the crown revenues in the province at the disposal of the governor-general for the conduct of administration until such time as the Assembly should guarantee an adequate civil list. One of the resolutions categorically refused the demand for an elective Upper House.

When the news of these resolutions reached Lower Canada the Papineau adherents were furious with indignation, and, as the Assembly was not at the time in session, the leaders of discontent poured out their invective at the various public meetings which they convened in different parts of the province; while their organ in Montreal, the *Vindicator*, became extremely vicious, going so far as to call upon the *habitants* to boycott English goods as they had been boycotted by the American colonists on the eve of the Revolutionary War.

After a stormy summer, Gosford was advised to convene the Assembly in order that the resolutions might be officially conveyed to its members in the form of a royal ultimatum, declaring that only the acceptance of the terms of the resolutions would preclude the application of coercive measures. For six days the Assembly considered this demand, and then by an overwhelming majority refused compliance in any form. Gosford had only one alternative: to dissolve the Assembly, which he accordingly did. This

was the last Parliament of Lower Canada. For thirty years the union of the two provinces of Upper and Lower Canada took away from the French-Canadians that legislative ascendancy which they had unquestionably abused: it was only with the consummation of confederation in 1867 that the province received a local legislature, and even then without an elective Upper House.



CHAPTER XV

UPPER CANADA UNDER THE CONSTITUTIONAL ACT OF 1791

THE passing of the Constitutional Act of 1791 may be said to have marked the legal birth of the Province of Upper Canada. Its first executive head was John Graves Simcoe, a veteran of the Revolutionary War, who had received his baptism of fire at Bunker Hill, and who had been numbered among the prisoners at Yorktown. After the war he had entered political life and won the friendship of the younger Pitt. It was due mainly to the influence of this valued friend that the position of lieutenant-governor of Upper Canada was now placed at his disposal. At the same time, the British authorities, in accordance with the provisions of the Act, named a number of legislative councillors, but on Simcoe's arrival it was found that several of these had not yet arrived in the colony, and for lack of a quorum no business could be done. But permission was soon given by the home government for the appointment of additional members, and in a short time a quorum was had. At the same time, the first Assembly was called to meet at Newark (now Niagara), and five representatives were present on the day of opening. Despite this meagre numerical showing, Simcoe made his way to them in full official regalia, escorted by a squadron of fifty soldiers, and delivered his speech from the throne in true vice-regal fashion. In due course the remaining eleven members straggled in. One, being a Quaker, was deemed incompetent to take the oath,

and a new election was ordered in his constituency of Prince Edward County. This first session was fruitful in legislation. One Act abolished the old French law in favor of the common law of England with full provision for trial by jury. Another made provision for the machinery of justice, dividing the province into districts and counties. The production of eight Acts in five weeks showed that the legislators of Upper Canada could do their work more rapidly than those of the sister province, and the members ended their short session amid a generous shower of praise from the governor. Newark, being a central point, had been utilized as a place of session, but since it had been now arranged between the British and American governments that the frontier posts should be handed over to the United States in complete fulfilment of the terms of the Treaty of 1783, it was felt desirable that the provincial capital should be placed at a more secure distance from the boundary. Simcoe's preference lay for a site on the Thames about where London, Ontario, now stands, and it was also his desire to fortify York (Toronto) making it the naval stronghold of the great lakes. But in this latter design he was forestalled by Lord Dorchester, who, as governor-general, was his superior and who commanded the land and naval forces. Dorchester's preference was for Kingston, and the conversion of that point into a military and naval headquarters was begun.

A new capital had not been selected when the time came around for another session, hence the Assembly was again convened at Newark. The striking incident of this session's legislation was the Negro Slave Law. Slavery had been legalized in the British colonies by an Act of 1732 (5 Geo. II. c. 27), but the provincial legislators now proceeded to exempt the province from its operations. While it did not release the slaves already in ownership within the province, it forbade further importations, and decreed the manumission of children born to slaves on reaching the age of twenty-five. This measure met with considerable opposition,

the scarcity of labor in the province being vigorously urged as an objection, but Simcoe's influence was exerted strongly in its favor; in fact, there is reason to believe that he himself was the prime mover in having it proposed. Another Act legalized marriages which had been informally contracted, and made rules for the future. Three further sessions, during the years 1794-1796, served to arrange a large number of routine matters incidental to the organization of a new State. Throughout the whole five sessions remarkable harmony prevailed. But Simcoe encountered difficulties and animosity elsewhere. The Indian tribes of the Northwest were giving the authorities of the United States an abundance of trouble, and as the latter had reason to believe that Simcoe had not been guiltless of encouraging their enemies, serious complaints on this score were made to the British government. As a matter of fact, Simcoe was a consistent ill-wisher of the United States, and of his predilections in this direction he made no secret whatsoever, but that he in any way instigated the Indian troubles has never been satisfactorily proved. Dorchester was an equal object of remonstrance, and probably with more reason. Some historians have attributed Simcoe's recall in 1796 to these complaints. But it is probable that his failure to work in exact accordance with Dorchester had more to do with the matter. Dorchester had little sympathy with the proposal to fix the provincial capital on the Thames, and he manifested objection likewise to some of Simcoe's elaborate plans for the settlement of the colony through the media of individuals who agreed to settle whole townships at once. At any rate, the governor, a man of wealth and position, was not desirous of a too lengthened voluntary exile, and his recall may have been indeed due to his own desire. The Hon. Peter Russell became, for the time being, administrator of the province.

From the writings of the Duc de Rochefoucault, who visited Upper Canada in 1795 and remained some weeks as the governor's guest, we have a good description both

of Simcoe himself and of the social and economic condition of affairs in the province over which he presided. Rochefoucault describes the governor as a "simple, plain, and obliging" man, blessed with a charming wife, who assisted her husband considerably even in his official correspondence and routine. What impressed the writer unfavorably was the fanatical hatred of the United States which marked Simcoe's otherwise generous and conservative views.

Despite the influx of Loyalists the province was even yet very sparsely settled, and those who had taken up lands were scattered all over its bounds, but chiefly in the western parts and particularly in the Niagara district. A small tax on wines formed the only source of revenue at the disposal of the Assembly and yielded somewhat less than five thousand dollars annually, out of which the Speaker and members of the Assembly drew their remuneration, the latter at the modest figure of two dollars per day of actual attendance. Rochefoucault commented upon the undeveloped resources of the province very enthusiastically, but deplored the scarcity of servants and laborers. This latter he attributes to the fact that land was easily obtainable and immigrants naturally enough preferred to acquire and cultivate lands of their own.

Immediately upon Simcoe's departure the question of removing the capital was once more taken up, and, in 1797, it was decided to select York, which was then, according to Rochefoucault, a struggling hamlet of a dozen houses inhabited by a more or less rowdy element.

The ten years which elapsed between the departure of Simcoe and the arrival of Governor Gore in 1806 present little of interest to the student of history. Russell continued to act as administrator till 1799, when General Peter Hunter arrived as lieutenant-governor. But Hunter died in 1805, after a very uneventful régime, and the Hon. Alexander Grant administered the affairs of the province until Gore's arrival in the following year. There is no period in the history of the province in regard to which primary materials

are so meagre. The Russell and Grant papers are not to hand and contemporary memoirs are strikingly lacking. Of Russell we know comparatively little, excepting that he has generally been charged by historians with using his official position to amass large holdings of land; an accusation which Kingsford seeks, with dubious results, to rebut. Nor can much more be learned about Hunter than that he was a soldier by profession and a man of moderate abilities, who busied himself with the political affairs of the province no more than was absolutely necessary. Grant had been in the colony for years and had served for a decade as a member of the Executive Council. During this period the Assembly continued to meet yearly and to transact the usual routine business. While harmony prevailed on the whole, one may mark even at this early date the beginnings of that division of parties in the House which was to be fruitful of difficulty later on. There were those in the House who supported the executive implicitly, and those who, on the other hand, showed a disposition to find much fault with some of its doings, more especially in the matter of land grants. The vast expanses of ungranted lands furnished a strong temptation to the greedy friends and partisans of those in executive control, with the result that vast tracts were too often granted by patent to speculating followers when *bona fide* settlers were forced to content themselves with small holdings in undesirable locations. But the great phenomenon upon which the eyes both of Englishmen and Canadians were focused at this epoch was the struggle with France; side by side with this the political broils of an infant colony passed as insignificant.

Sir Francis Gore assumed charge of affairs in 1806, and efforts were at once made by the adherents of what might be called the "executive party" to secure his favor. Gore was a comparatively young man with considerable military but almost no political experience, and was an entire stranger to the political conditions of Upper Canada. And since the executive party comprised the more aristocratic element

of the population the new governor soon fell under its influence. This was shown in the matter of Judge Thorpe. Thorpe was a man of unusual independence and on his circuit lent a ready ear—it was claimed even actual encouragement—to grievances which the grand juries were wont to present to him for submission to the authorities at York. This in itself was enough to render him unpopular with the executive party, who openly accused him of fomenting discontent among the people. But his popularity among the people at large was considerable and the governor and his friends hesitated to effect his removal without cause, even although members of the judiciary at the time held office only during executive pleasure. Thorpe, however, soon gave them the necessary cause by becoming a candidate for election to the Assembly from a western constituency. Whatever may have been thought of the policy of such a move it was quite within the bounds of legality for a judge to seek election to the House, and although Thorpe was opposed from headquarters, he won easily at the polls. During the election and even in his addresses to the grand juries from the bench he was unwise enough to criticise the executive and its administration with rather unbecoming



William Lyon Mackenzie.
After the painting by J. W. L. Forster.

Legislative Councils, were showing a tendency to concentrate power in their own hands, the people at large had no tangible political grievance, and the colony was growing rapidly both in population and in wealth. As matters were moving smoothly within,—although quite the reverse without, owing to the growing tension with the United States,—Gore left in the fall of 1811, and proceeded to England on leave of absence, the administration being temporarily taken over by Sir Isaac Brock, then in command of the forces; and before his return the province was fated to undergo the ordeal of a three years' struggle for its existence. Brock, in his preparations for the impending conflict, showed himself possessed of indomitable energy and extraordinary resource. To him more than to anyone else was due the resolute defence offered by the province to its invaders in 1812. But his early fall deprived the colony of his services at a time when they were most needed, and from that time till the return of Gore in the summer of 1815 the civil administration of the province rested with whomsoever happened, for the time being, to be in command of the forces. When the war was over, it was found that somewhat of a change had come over the temper of the people, and this was reflected in the Assembly when it met. Deprived of the stimulant which the conflict had infused, the people began now to turn their surplus energies into criticisms of the government. There were grievances in plenty, and these the Assembly showed itself ready to investigate. But the members of the executive party, which controlled Gore, had no desire for any investigation which was likely to disclose their unsavory land manipulations; so that when the Assembly began to deal with the matter of grievances, Gore was instigated to order its prorogation, although the session had lasted but a few days. This discourteous treatment did much to intensify factional feeling in the province, and among those governors who had a hand in sowing the seeds of later troubles, Gore, for his action on this and previous occasions, must be given his share of criticism.

It was amidst this growing excitement that Robert Fleming Gourlay made his arrival in the colony and soon became the most prominent figure in the rising wave of discontent. Gourlay was a native of Fifeshire, Scotland, and had been educated at St. Andrews and at Edinburgh. As his father was in good circumstances, he chose no profession, but settled down on his father's holdings as a gentleman farmer. But he soon got into trouble with his neighbors, for he was a man of quarrelsome disposition, and moved for a time into England. There he soon quarrelled with his landlord; a suit at law ensued, and while Gourlay in the end won his case, he disbursed most of his fortune in costs. It was with the view of retrieving his finances that he went to Canada determined, if prospects proved favorable, to become a settler. But on arriving in the colony he found the people at different points wrought up in the discussion of their various grievances. To this sort of thing Gourlay by nature lent himself readily and he soon became one of the most interested. Convinced that what the province of Upper Canada needed most of all was settlers, he decided to become a land agent, and with a view of becoming thoroughly informed on colonial conditions, he set about the compilation of a statistical and descriptive account of the province. As there were many things essential to his compilation which the regular census did not contain, he sought information by addressing to the various township authorities throughout the province, a circular letter of questions. This circular contained in all some thirty-one queries of which the majority asked only for such data as any immigration agent would find it well to have on hand. But the last question on the list was: "What, in your opinion, retards the improvement of your township in particular, or of the province in general; and what would contribute most to the same?"

The insertion of the question was regarded by those in authority at York as a covert insinuation that maladministration of some form or other was taken by Gourlay for granted, and influence was used to prevent answers being

returned. But in most cases the township authorities answered the queries fully, and did not hesitate to declare that the system of parcelling out large tracts of land among members of the little coterie who enjoyed the favor of the executive was the prime cause of tardy colonial development. Gourlay also busied himself with the issue of pamphlets and letters on the general question, and, in more ways than one, made himself known to the people at large; for an unquenchable thirst for notoriety seems to have been one of his most prominent characteristics. When the Assembly again met, it was fully expected that it would forthwith take up the investigation of the various grievances, but Gore promptly forestalled an attempt to do so by proroguing the House in the early days of its session. This gave Gourlay a new field for activity, and he at once propounded a scheme of holding a general convention of delegates from the various townships to discuss the grievances of the province and to adopt resolutions for transmission to the British Parliament. The scheme was received with some favor by the people; the convention assembled at York in the summer of 1817, and adopted a number of resolutions setting forth their various grounds for complaint. In due course, the resolutions were transmitted to England, but the Colonial Office had been duly primed by the provincial authorities, and all the resolutions were laid aside with the exception of one which declared that grants of land should be made to the militiamen who served during the war; this recommendation the British authorities ordered to be carried into effect. But the episode convinced the provincial authorities that Gourlay's agitations presaged further trouble, and it was informally decided to make life in the colony unbearable for him. Herby the authorities gave him and themselves more trouble and notoriety than either had bargained for. In the meantime, however, Gore gave up his post on June 19, 1817, and was succeeded by Sir Peregrine Maitland, who held office from April 13, 1818, to November 3, 1828. In the early days of Maitland's term

Gourlay was taken into custody at Kingston, charged with having, in one of his numerous pamphlets, libellously attributed corrupt practices to those in authority. The local court acquitted him without delay, and a subsequent arrest and retrial at Brockville resulted similarly. The authorities were now in high danger of making a martyr out of the prying egotist, for popular feeling was strongly in his favor. But the Assembly was not wholly in sympathy with his mode of redressing grievances, and the idea of a convention of delegates had what was to them a repugnant American flavor about it. Hence, when Maitland, on calling them together, proposed that the House should make provision against abuses of the right of public meeting, that body readily concurred, and on October 28, 1818, placed on the statute books an Act for the prevention of all such future gatherings, saving intact, however, the free right of petition to individuals.

It is difficult to conceive that the Assembly of Upper Canada could have passed an Act of this kind; its course can be explained only on the assumption that the claim of the executive party that Gourlay was a disloyal mischief-maker, and that he had tried to supplant the legally constituted Assembly by a convention of township delegates, had too much weight with the members. The obnoxious Act, however, did not long remain in force; it was repealed two years later.

Thus fortified, Maitland, who was now in full accord with the executive clique, again turned his attention to Gourlay, who at this time was residing in the Niagara district and putting forth his writings with renewed vigor. For their new persecutions the York authorities had recourse to the old "Alien Act" of 1804, which was still unrepealed, and, by the provisions of which, the executive was authorized to procure the arrest of any inhabitant of the province, resident for six months, who had not taken the oath of allegiance and who might have given any ground for suspicion of seditious intent. Further, it provided that

the party so arrested might be ousted from the province or compelled as an alternative to give adequate securities for his future good conduct. Not only had this Act long since fallen into disuse and become all but forgotten, but it had been, in its inception, directed against aliens and more especially against immigrants from the United States. Gourlay was not an alien; as a native-born Briton, he had no need to take the oath of allegiance. Certain members of the Legislative Council, however, obtained a person to lay the necessary information, and Gourlay was again arrested and put on trial. To the end that he might not this time escape through any pressure of public opinion he was at once arraigned, adjudged guilty of a violation of the provisions of the Act, and ordered to leave the province within ten days. Never was there a more shameless mockery of British justice, for it was known to all concerned that Gourlay had been not less than a year and a half in the province and that he was a native of Great Britain. Obstinate as ever, Gourlay decided to refuse to go, and the ten days having expired he was committed to jail (January 4, 1819), where he lay for over six months unsuccessfully endeavoring to sue out a writ of *habeas corpus*. At the conclusion of that period, shattered in health from his close confinement and thoroughly broken in spirit, he was given twenty-four hours to leave the province, a privilege which he now accepted promptly and hurried across into the United States. Thence he returned to England where he published his *Statistical Account of Upper Canada*, an exhaustive work in two volumes. The compilation contains much valuable information which has been preserved nowhere else. In spite of its poor arrangement and irritating egotism, historians have occasionally found it a valuable source of data. Years later, when the course of events showed clearly that Gourlay had, in turning the light of publicity on the doing of that corrupt little band at York, done the province a real service, an official pardon was granted him together with a life pension of two hundred

dollars a year. But he refused to accept either, demanding nothing less than the expunging of his prosecutions from the official records of the court as a formal attestation that the whole proceeding against him had been illegal. This, however, was further than the authorities were willing to go, and he closed his days in 1862 still, as ever, with a grievance in hand.

The proceedings evoked very considerable indignation in different parts of the province, the more so since the authorities did not confine their energies to Gourlay alone. Publishers who had allowed their columns to be used as channels of criticism came in for prosecution as well. It was well known that Maitland had surrendered himself completely to the official cabal or "Family Compact," as it now came to be known, from the fact that all its members were more or less closely joined by ties of blood or marriage. And the governor was possessed of no such personal popularity as would tend to offset the popular odium with which this surrender was regarded. For his office he seems to have had no particular fitness whatsoever, and he was currently believed to have owed his appointment to an elopement with a daughter of the Duke of Wellington and a desire on the part of the latter to have him sent off to distant parts until such time as the social gossips of England should have ceased to give this matter their attention. At any rate, his overbearing, pompous ways stood him in no good stead with the pioneers of a Canadian province. But he evidently was strongly intrenched at the colonial office, for he was continued as governor despite his patent unpopularity with all but the official classes and their friends.

It was about this time that the Rev. John Strachan began to take a lively interest in the affairs of government, and commenced a career of prominence which was to extend over a period of more than a quarter of a century. Strachan, who was then Rector of York, was, like most of those prominent in the early affairs of Upper Canada, a Scotchman by birth. Educated at St. Andrews, he came out about the

beginning of the century to Kingston, where he taught a small school for a time, but later was ordained as an Episcopal clergyman. His integrity and abilities soon procured for him the appointment to the rectorship at York, and in this position he successively enjoyed the friendship of Gore, Brock, and Maitland. Through the influence of the first named he was appointed a member of both the Executive and Legislative Councils, but it was understood that he was to act as an honorary member only, and apparently he took little open part in the proceedings of either. His personal influence grew, and, in 1821, Maitland appointed him to an active membership in the latter body; the appointment being publicly gazetted. Strachan took kindly to politics; at once identified himself openly with the Family Compact, to whose members, by the way, he was not in the slightest degree related at this time, but in the course of all his political dealings the welfare of the Episcopal Church in Canada was ever his first care. When the new diocese of Toronto was established in 1839 Strachan became its first bishop, and with this appointment he retired from political life and devoted himself wholly to the immediate affairs of his bishopric. As a churchman, Strachan left his indelible impress upon Canadian Anglicanism, but it is as a political figure that we have here to follow his career; as the foremost personage in the Family Compact; as the iron-gloved ruler of successive governors and councils, and the general "power behind the throne" in provincial matters for two whole decades. As McMullen has aptly remarked: "He commenced life by ruling boys; he finished it by ruling men." Strachan entered active politics just at the time when the Church of England was being called upon to make good its claims in the matter of the Clergy Reserves, and, as will be seen later, it was Strachan's uncompromising stand on behalf of that church's pretensions which more than all else caused this question to be one of the burning topics in Upper Canada politics for many years, prolonging its settlement unduly and to no good end.

As will be remembered, the Constitutional Act of 1791 had made provision for the reservation of one-seventh of the ungranted lands of the province to be used for the maintenance of a "Protestant clergy," and for over two decades the emoluments from these reservations had been used toward the support of Episcopal clergymen alone. Now, in 1819, petitions began to be presented to Governor Maitland from Presbyterian interests in various parts, claiming the right to partake equally in the revenue of the "reserves" on the ground that the Church of Scotland was, in the absence of an Established Church in the province, on an equal footing with its sister as a recognized Protestant denomination. Maitland referred these petitions to the colonial office and received reply that the prayer of the petition should be granted, but that the term "Protestant clergy" should not be construed to include clergymen of the Wesleyan, Congregational, and other dissenting denominations which had not obtained formal legal recognition in Great Britain at the time the Act was passed. But that the church of his fathers—for Strachan was born and bred a Presbyterian—should share in the disbursements was not at all to the mind of the Rector of York, and he at once gathered influence sufficient to induce the home authorities to order the whole matter left in abeyance for the present. A few years later the question was brought up in the Assembly, and an address was voted to Parliament, asking that an adjustment of the matter be made. But no action resulted, and for a long time the whole question remained untouched. Strachan had thus far been successful, and his success was not a little due to his harmonious understanding with the governor and his friends of the Family Compact. The latter had, therefore, been drawn to take sides in a purely ecclesiastical matter; to champion the cause of a small minority of the population; to identify political and religious differences.

Meanwhile the province had been growing rapidly in population and the Assembly hastened to keep pace with the legislative needs of an expanding community. Perhaps

the most important undertaking for which authority was given was the construction of the Welland canal, a company for that purpose having been incorporated in 1822, with the modest capitalization of one hundred and sixty thousand dollars. Thus far even the Assembly had contained a small majority favorable to the Compact interests, but at the general elections of 1824 a change resulted and the opposition, now known as the Reform Party, obtained a small but sufficient majority. What was of little less value, seats were obtained for most of its rising young leaders. Among these were John Rolph and Marshall Bidwell, both destined to make prominent places in the history of their times.

It was this election that first brought into the public eye William Lyon Mackenzie, who was to become the recognized leader of the movement for reform that culminated in the rising of 1837-1838, and to be one of the chief sufferers in its failure. Born in Perthshire, of sturdy Jacobite stock, he made his way to Canada about 1820, after success had failed to attend some half-dozen different callings which he successively sought to follow. During his first few years in the colony he tried his hand at various things, but ended, in 1824, by becoming the editor and proprietor of a new weekly which he called the *Colonial Advocate*, published at Queenston, near Niagara. In his first issue he declared open hostilities with the provincial executive by a vigorous criticism of Governor Maitland and a reference to the Legislative Council as "the tool of a servile power." After a few issues, in each of which he gave the Family Compact a goodly share of his editorial attentions, Mackenzie removed his paper to Toronto where the victims of his vituperation would be nearer at hand. The Compact organ, the *York Observer*, sought, in the absence of better means of rebuttal, to brand Mackenzie as a seditioner; such, indeed, seems to have been the course pursued by the Compact toward all the more aggressive of its critics.

Always on the *qui vive* for grievances, it was not long before the *Advocate* found ground for criticism in the postal

that body, now nowise averse to a quarrel with the governor, proceeded to investigate the whole affair. As a means of getting at the facts, two government officials were summoned before it, but Maitland promptly ordered them, as their superior officer, not to attend. To this the Assembly replied by committing them to the common jail for contempt, whereupon Maitland went down in anger and prorogued the House. Nothing was now possible but to submit the whole case to the home authorities, who thought it best to transfer Maitland to the governorship of Nova Scotia, putting Sir John Colborne at the head of affairs in Upper Canada. He began his term on November 3, 1828, and remained in office until January 23, 1836.

That this action was warranted is amply shown by the results of the general elections, which took place later in the same year (1828). The reform party literally swept the province, defeating most of the prominent supporters of the Compact, and electing all their own leaders, among the rest William Lyon Mackenzie, who was returned triumphantly from the provincial capital itself despite the whole strength of official opposition.

Under these circumstances, much was sure to depend on the temper and attitude of the new governor, and much was expected of him. Colborne was a trained soldier, a veteran of the Peninsula, and the commander of a regiment on the field of Waterloo, but without extensive experience in the domain of administration. As lieutenant-governor of the little island of Guernsey he had been markedly successful, but political conditions in that atom of the empire were not such as to render success difficult of attainment. But of courage, determination, and integrity he had no lack, and all things considered, his appointment was no unpardonable error. Like his predecessors, he at once gravitated into the hands of the Compact, for in view of the social distribution of the population of Upper Canada at the time he would have been a rare man who should have done otherwise. Dr. Strachan and John Beverly Robinson,

then attorney-general and later chief justice, were his especial friends, and their uncompromising attitude was well known to the Assembly. A petition from the Assembly for the release of one Collins, an editor who had been imprisoned for libel during the closing days of Maitland's régime, was rejected by the new governor, while an address complaining that Colborne had "surrounded himself with the same advisers who had in times past so deeply wounded the feelings and injured the best interests of the country," brought only the curt answer that it was less difficult to point out jealousies than to efface them.

The main difficulty with which the reformers in the Assembly had now to contend was, however, that of maintaining unity, and this by 1830 seems to have proved beyond their power. The radical faction, led by Mackenzie, could not secure the consistent support of the more moderate wing composed of men like Baldwin, Bidwell, and Egerton Ryerson, and on many measures a united front was not presented. This fact allowed the Compact party in the House occasionally to carry through its measures. Thus, in 1831 it agreed to what was known as the "Everlasting Salaries Act," whereby salaries were guaranteed in perpetuity to the executive and judicial functionaries of the province in return for the surrender of the crown duties to the control of the Assembly. Mackenzie vigorously opposed this measure, but the more moderate reformers thought the bargain a good one and helped the Compact party to carry it through. Throughout the session, Mackenzie's extreme attitude reacted detrimentally on the cause of true reform, and he soon became as little liked by his former friends as by his consistent opponents. The articles in the *Advocate* continued to bristle with virulence, for Mackenzie in his writings never seemed able to differentiate between principles and men. Consequently, it was the individual supporter of a policy who received the force of his journalistic onslaughts rather than the policy itself. As a majority of the Assemblymen were now arrayed against him, it was

determined to expel him from the House; and ground was soon had in one of his most caustic articles, which reflected in rather injudicious language on the general conduct of affairs by the majority. An alliance of moderate reformers and ultra-Tories managed to vote through the resolution of expulsion, but the constituents of York promptly re-elected their representative. Five successive times was the fiery agitator ousted, and as often re-elected—usually by acclamation. Under the spur of official persecution, his popularity waxed rapidly; a public meeting of his constituents enthusiastically expressed confidence in him, while the members of the reform party throughout the province sent him to England in 1832 to lay their grievances before the home authorities. Mackenzie reached England at a very opportune time, for the reform element there had just become dominant and the great Reform Bill of 1832 had just passed into law. Consequently, the British authorities had no hesitation in expressing their opinion that the expulsions had been ill advised. They were not, however, prepared to grant the prayers of the petitions which Mackenzie brought from the colonists, but went so far as to remove from office two executive officials who had been among the most prominent in the expulsion proceedings. And, on recommendation, the provincial Houses agreed to the passage of an Act which reformed the judicial system by making the tenure of judges during life or good conduct.

Shortly after Mackenzie's return, the provincial capital, York, was incorporated as a city; and in 1834, Mackenzie, now a veritable idol with the provincial masses, became its first mayor. Very unfortunately, his course of action while in office, however, left much to be desired. Both as a presiding officer of the corporation and as chief magistrate, he allowed his doings to be governed by all sorts of personal animosities, and showed a pettiness such as even his old antagonist, Maitland, had never exhibited. Soon his popularity began to wane, and the decline was hastened by his injudicious publication of a personal letter from the great English

radical Hume, in which the latter declared his belief that the course of events in Canada would logically "terminate in independence and freedom from the baneful domination of the mother country." For his apparent coincidence in this sentiment, Mackenzie soon found himself repudiated by many of his supporters, who, while staunch reformers, were still stancher loyalists. Similarly the public meetings which had hitherto acclaimed him as the tribune of the people now hastened to overwhelm him with censure; he was defeated at the polls when he again sought election; and shortly afterward forced by an unsparing public opinion to suspend the publication of the *Advocate*. But at the general elections of 1834 the reform element, by vigorously repudiating the Hume sentiments, succeeded anew in securing a majority in the Assembly, while Mackenzie himself, after a hard fight, was able to capture one of the four ridings into which York had just been divided. The general result left the Family Compact, in a House of less than sixty members, in a minority of eight or ten. The first session of the new House was hardly opened when Mackenzie moved for the appointment of a Committee on Grievances and succeeded in having such named, with himself as chairman. After a careful inquiry the committee presented an exhaustive report covering some fifteen closely printed pages of the Assembly's journal. On the whole, the report seems to have been a truthful presentment of the state of affairs in Upper Canada during the few decades preceding and a vigorous protest against a continuation of the existing conditions. Perhaps one-third of the whole report was devoted to the advocacy of a "responsible executive" and the necessity of vesting more influence over the affairs of State in the accredited representatives of the people. The remainder dealt with divers grounds of complaint; the meddling of judges and other officials in political quarrels; the retarding effect on provincial development of the Clergy Reserves; the practice of appointing military governors to whose nature conciliation and courtesy seemed

intrinsically foreign; and a host of other grievances all more or less real. This report, written in a tone which showed that Mackenzie's natural acerbity had been subjected to the tempering influence of his colleagues on the committee, was passed by the House. Together with resolutions asking for the redress of the grievances it was forthwith sent off to England. There it created a profound impression in official circles, for the Peel ministry was more open to popular protest than were its predecessors of the pre-reform epoch. The colonial office decided that prudence alone demanded the pursuit of a more concessionary policy than that hitherto followed by the representatives of the crown in Upper Canada, and as Colborne could not be expected to execute any such *volte face* with dignity, his recall was decided upon and Sir Francis Bond Head was selected for the vacant post.

But before the change could be effected Colborne effected, on behalf of his friend Strachan, a *coup* which caused a storm of criticism. It will be remembered that while the colonial office, many years previous to this time, had expressed its opinion that the Church of Scotland should share in the emoluments of the Reserves, Strachan had succeeded in having the matter of a division held in abeyance. And at different times the efforts of Presbyterians in the province to have the question dealt with had been promptly frustrated by the influence of Strachan and his friends in high places. But now it was seen that, owing to the altered temper of the home authorities born of the reforms of 1832, no such policy of procrastination could be indefinitely pursued, and as there was a danger that not alone the Church of Scotland but the other dissenting denominations would make good their claims to shares, Strachan induced the retiring governor to endow from the Reserves some fifty-seven Anglican rectories and thus to secure to the Church of England the lion's share of the lands in advance. Through some difficulty, fifteen of the patents were left unsigned, and the Church in the end got less than it had reached out for, but the signed patents were held valid by the courts, and, taken

as a whole, the plan may be said to have been successful. But the circumstances under which it was effected do no great credit either to the governor or to his prompters, although it must be said in partial extenuation that some years before, when the Compact party enjoyed the confidence of those in authority in the British ministry, the principle of making some provision for Episcopal rectors out of the Reserves had received the sanction of the colonial office.

The appointment of Sir Francis Bond Head was thought by the colonial office to be a distinct concession to the reformers of Upper Canada. He had absolutely no political experience whatsoever, nor was he known to have any fixed ideas on the subject of colonial administration. He would, therefore, be pliable clay in the hands of Downing Street, and instructions as to a conciliatory policy might be given with confidence that they would be carried out. Some writers have declared that the appointment went to Sir Francis by mistake for his cousin, Sir Edmund, a much abler man, who subsequently became governor of the United Provinces from 1854 to 1861. There was only London gossip in support of this idea; more than likely the absolute unsuitability of Sir Francis for the post, when actually demonstrated, caused people to disbelieve that the colonial office could ever have intentionally selected such a man otherwise than by mistaking him for someone else. Still the appointment was hailed by the reform element in the province with unmixed joy, for Mackenzie had been duly informed by Hume that there was good ground for elation. And if the inexperienced appointee had any sense of humor he must have been roundly amused to find, on the occasion of his entry into Toronto, the streets adorned with placards bearing the words: "Welcome! Sir Francis Head: a tried Reformer."

The new governor, who was installed on January 23, 1836, started well by calling to his council three prominent reformers. But these refused to accept unless the old members still remaining were dismissed, and the governor,

suspecting that the giving of the reform element an exclusive control of the Council would promptly reduce him to a position of complete impotence, at once refused compliance. In the end the reform appointees agreed to serve, but it was not long before the two factions came into irreconcilable conflict and the whole Council resigned. Nothing daunted, Head accepted their resignations and appointed others who were willing to serve him without being bound to either party. At this both parties in the Assembly rose in protest. For the domination of the governor alone seemed to be no improvement on the domination of either party over the other. The Assembly almost unanimously condemned this action and asked for the reinstatement of the old councillors, and when the governor remained unmoved, the Assembly fell into line with Lower Canada and refused, for the first time, to vote the supplies. In the crisis, Head proved himself possessed in a high degree of the qualities of an actor dramatically appealing to the people at large and to the home authorities for support. In this he was providentially aided by the publication at the moment of a seditious letter addressed by L. J. Papineau, the leader of discontent in Lower Canada, calling on the reformers of Upper Canada to join their fellows of the Lower Province in an armed revolt against executive domination. With dramatic effect Head affirmed that the cause of British connection was at stake; dissolved the House; ordered a new election, and himself took the stump to declaim vigorously against the seditious designs of his opponents. Strangely enough his appeal proved effective. When the results were known it was found that the governor could count on a majority in the new Assembly, while Mackenzie, Bidwell, and most of his leading opponents were defeated at the polls. For a man who knew nothing of the devious ways of politics, Head had made rather astounding progress, and his apparent success at this juncture strengthened him with the colonial office. But defeat in the House served but to convince some of the leading reformers in the country that their ends

could be attained only through the employment of means much more drastic than those hitherto utilized, and from this date one may mark the beginnings of the movement toward open revolt. Mackenzie was especially angered by defeat, and his new organ, the *Constitution*, became more violent than his *Advocate* of a decade before.

Head had now secured an Assembly ready to support him, but this by no means rid him of all his difficulties. Freeing himself of constitutional opposition within the walls of the House, he found himself all too soon confronted by armed opposition without. The rebellion of 1837 was at hand.

CHAPTER XVI

THE WINNING OF RESPONSIBLE GOVERNMENT

In the foregoing chapters an endeavor has been made to trace the growth of the various political grievances which, for more than a score of years, had served to foment disaffection among certain classes of the colonial population. Toward the summer of 1837, the widespread malcontent was seen to be ripening into open sedition; the agitators became more inflammatory in their addresses to the people; while the proclamations of the governor-general forbidding the holding of unauthorized meetings were defiantly disregarded. While it cannot be truthfully charged that the Roman Catholic hierarchy of Quebec actively abetted the general movement, there can be no doubt whatever that few, if any of them, did much to pacify the people or to point out to them the dangers of open rebellion. Meetings of a seditious character were frequently held on Sundays after Mass, and at the very doors of the parish churches throughout the Lower Province, especially in the districts of Quebec and Montreal. At these and at the various other gatherings the agitators displayed flags with treasonable inscriptions, while pamphlets and circulars denouncing those in authority were freely distributed. Seditious mobs paraded the streets of Montreal nightly, displaying the tri-color and singing the *Marseillaise*. The city, owing to a temporary lapse in its charter due to negligence of the legislature, was

very inadequately policed, so that the riotous element had everything its own way. Several revolutionary organizations were formed from among the ranks of young French-Canadians in Montreal, perhaps the most prominent being the so-called Sons of Liberty, the members of which,—for the most part young students,—openly avowed their purpose to "emancipate the province from all human authority, except that of the bold democracy residing within its bosom." This and the other organizations found their official organ in the *Vindicator*, edited by one O'Callaghan, which paraded with truculent ostentation manifestoes and resolutions emanating regularly from the seditious gatherings.

Lax as the authorities were, they could not but heed these open challenges to action, with the result that Sir John Colborne, who had given up the administration of Upper Canada and was proceeding home to England via New York, was recalled at the latter port to assume command of the forces in Lower Canada and to hold himself in readiness to deal with any emergency which might arise. Colborne was a capable and energetic military officer, but the forces at his disposal were altogether too slender to make much impression on the people. In Lower Canada the total force of

and, while making no reference to the political questions at issue, declared that armed opposition to legitimate authority was contrary to the doctrines of the Church. The mandate was ordered to be read in all the churches of the diocese, and its reading had a very marked effect in strengthening the hands of the executive. Had the ecclesiastical authorities bestirred themselves in this direction earlier, the movement for rebellion might not have assumed an alarming aspect, but it may be, as some writers urge, that the neutrality of the hierarchy during the prior stages of the movement was dictated by a conviction that the agitation would never crystallize into overt hostility.

Just about this time two monster meetings were held by the respective factions. At St. Charles, on the Richelieu, several thousand malcontents, representing six counties, assembled under the leadership of Papineau, Wolfred Nelson, and others. There was a profusion of banners and salvos of musketry. A wooden pillar with the liberty cap was erected on the ground and dedicated to Papineau. Then a series of lengthy resolutions, prepared in advance by delegates from the several counties, were put before the meeting and adopted with acclaim. These resolutions, some thirteen in number, went on, after the example of the "wise men and heroes of 1776," to declare that all men were created equal; that it was an inviolable right of a people to abolish and construct governments at their will; that the existing government had persistently refused to redress plain grievances, and that the time had come for resistance to the old authorities and the establishment of new ones. With this as a preamble, the resolutions called upon the people of the six counties to elect justices of the peace and officers of the militia to be obeyed provisionally, and at the same time urged systematic opposition to all officers appointed by the government. Perhaps the most defiant resolution of all was that which pledged the people to assist and encourage desertions from the bodies of regular troops stationed in the province.

On the same day a monster gathering of the loyalist party was convened at Montreal, attended likewise by several thousands, and adopted resolutions of a very different tenor. These called upon the authorities to make an end to "injudicious and ineffectual attempts at conciliation," and to put down with a firm hand the rising disorders. The meeting pledged the support of the loyal section of the population to the authorities "in order to maintain connection with the British Empire," and proceeded to appoint committees to see to matters of organization and to concert plans for the immediate rendering of assistance to the authorities in case of need. Following the example of the malcontents, the young loyalists of Montreal had organized a political association to which they gave the name of Doric Club, and the avowed purpose of which was to act as a counterpoise to the Sons of Liberty. It was not long before the two organizations and the sympathizers with each came into collision. Early in November the Sons of Liberty undertook to assemble and plant a tree of liberty on Place d'Armes Square. This the loyalists determined to prevent with the result that a riot of grave proportions took place. The *Vindicator* office was demolished, and the

same time a small troop of cavalry was despatched from Montreal to St. John's to assist in the execution of a warrant which had been issued against the postmaster of that place and some others who had been prominent in fomenting sedition. The arrests were effected successfully, but on the way home the party was confronted, November 17, 1837, near Longueuil, by a large body of armed *habitants* who succeeded, after a brisk conflict, in releasing the prisoners and sending the troops back to the city empty handed. This may be said to have been the opening of the rebellion. The *habitants* began to concentrate in large numbers at the villages of St. Charles and St. Denis, on the upper Richelieu, and to disperse them it was forthwith decided to send out two strong bodies of troops. A force of about three hundred men with two pieces of artillery, under Colonel Wetherall, was despatched from Montreal to Chambly, thence to proceed to St. Charles. The other force, consisting of about two hundred infantry and three guns, under command of Colonel Gore, was to be transported down the St. Lawrence to Sorel, thence to ascend the Richelieu to St. Denis, and, having dislodged the rebels there, was to proceed on to St. Charles in time to effect a junction with the forces led by Wetherall.

Gore's force reached Sorel on the 22d of November, and, reinforced by the bulk of the garrison there, lost no time in proceeding toward St. Denis, which was only sixteen miles up the river. The slushy road was covered in a night, and by morning Gore found himself at St. Denis confronting a force of nearly five hundred *habitants* well disposed in the houses of the village. Nelson, Papineau, and O'Callaghan were in charge of the insurgents, but before the attack commenced the two latter hastily took flight to St. Hyacinthe, whence they shortly afterward crossed to the United States, a cowardly desertion of their followers which stamped both as utterly undeserving of the confidence which the undiscriminating *habitants* had imposed in them. In striking contrast was the demeanor of Dr. Nelson, who defended

the village with gallantry, and, toward evening on November 23d, compelled Gore to draw off his force with considerable loss. But the events of the day were marked by the brutal murder of a young regular officer, Lieutenant Weir, of the Thirty-second Regiment. Weir had arrived at Sorel after the departure of Gore's force and set off to St. Denis unaccompanied and by a shorter route than that taken by the troops. Arriving at the outskirts of the village in advance of Gore he was taken in charge by the insurgents and conducted to Nelson's house, whence, after the firing commenced in the morning, he was sent back to St. Charles in charge of an armed guard. Very unwisely, the young officer attempted to escape, but was caught and brutally murdered by those who had him in charge. Even an attempt to escape could hardly have justified the deliberate slaying of an unarmed and pinioned prisoner. Gore, after his repulse, fell back to Sorel, while the insurgent success greatly augmented both their numbers and their enthusiasm.

Wetherall's expedition, meanwhile, had been moving from Chamby to St. Charles, but on receiving the news of Gore's repulse, halted at St. Hilaire for reinforcements and instructions. These arrived shortly, and a few days later the force reached St. Charles, where the insurgents were commanded by a renegade American, Thomas Storrow Brown. Although an attempt had been made to fortify the village, Wetherall's field guns and a gallant attack with the bayonet soon dispersed the defenders, who, by the way, considerably outnumbered the attacking force, and on November 26th Brown, with only a portion of his followers, fled precipitately to St. Denis leaving a considerable number of dead, variously estimated at from forty to one hundred. On arrival at St. Denis a consultation with Nelson was had at which it was decided that to remain at St. Denis would now be dangerous; the force of insurgents there was disbanded, and Gore was allowed again to approach the village, this time without opposition. Brown followed the example of Papineau and reached the frontier safely;

Nelson was captured by a small body of militia and brought a prisoner to Montreal. The rebellion was at an end so far as the Richelieu counties were concerned, for the volunteers of the frontier townships had been successful in repulsing a body of American sympathizers which had crossed from Swanton, Vermont. By Christmas the whole country was patrolled by troops of volunteers, while the jails were overflowing with political prisoners. But there was another section of the province still to be quieted,—the county of Two Mountains to the northwest of Montreal where a strong body of rebels had taken up a position at the village of St. Eustache. These were under the command of Amerry Girod, whom Papineau had appointed to the command of the insurgent forces on the north bank of the St. Lawrence. This task Colborne himself undertook to accomplish about the middle of December. Having collected a formidable force of regulars and volunteers to the number of about two thousand he set off amidst noisy loyalist enthusiasm, and on December 14, 1837, crossed the Ottawa on the ice at Bord à Plouffe and made his way to St. Eustache. Here he found Girod's followers to the number of about a thousand ensconced within the principal buildings of the hamlet, the church, the manor house, and the rectory. Colborne's artillery made short work of these shelters; the infantry promptly stormed the village and put its defenders to precipitate flight. The insurgent loss is not easy to estimate; the killed alone, however, must have numbered nearly a hundred. Very unfortunately, the attackers fired several of the houses and the whole village, of some seventy buildings, was burned. For this Colborne and his officers were in no wise to blame; it was found impossible to restrain the punitive ardor of some of the volunteers comprising the force, many of whom, indeed, had been plundered and maltreated by these very rebels during the preceding months. Girod and some of the more prominent agitators managed to escape, but the former, finding himself closely pursued, ended his days by suicide less than a week later. From

St. Eustache, Colborne passed on to St. Benoit and to the neighboring hamlets, in each of which the unconditional submission of the *habitants* was promptly tendered.

As the year closed, the Lower Canada rebellion seemed entirely crushed. The governors of Vermont and New York had, by proclamations, prohibited the citizens of these States from violating the neutrality of the United States by assisting the rebels, so little hope of support could be held out from these quarters. The authorities now became indulgent and instead of putting the insurgent prisoners on trial before courts-martial,—as the authorities had an undoubted right to do, martial law having been proclaimed throughout the Montreal district some time before,—allowed numbers of the prisoners to depart scot free, as it was felt that civil trials by jury would only increase the factional animosities. Shortly after New Year (January 8, 1838), Monseigneur Lartigue, of Montreal, issued his second mandate, in which he chid the *habitants* for their seditious behavior and their failure to obey the advice tendered in his pastoral of some months before. A day of public thanksgiving for the restoration of political tranquillity was then proclaimed. Lord Gosford having received permission from the home authorities to relinquish his post of governor, gave over the administration to Colborne and left the province. Gosford had shown an entire inability to deal with the exigencies of the situation. At the outset he had underestimated the seriousness of the outbreak, and when he finally awoke to its gravity it was only the energy and ardor of Colborne which rendered it possible to cope with a movement which his own apathy and ill-advised compromising had allowed to assume such threatening proportions. Colborne, although it was known that he was to assume control only until the home authorities could make some permanent appointment, took hold of affairs with his usual spirit and soon had in force such measures as were essential to a final pacification.

In England the news of the outbreak had been received with mingled surprise and exasperation, especially as the

report of Gore's repulse at St. Denis was grossly exaggerated. Visions of another colonial war of independence began to float before the eyes of Englishmen, and there were at once vigorous warnings both in the House and out of it that the nation would brook no repetition of those ministerial follies which little over a half century before had cost Great Britain her thirteen seaboard colonies. The ministry, therefore, which had hitherto allowed colonial complaints to be complacently pigeon-holed and petitions bearing thousands of names to be laid without discussion on the table of the House, now realized that its apathy had produced a state of affairs with reference to which immediate action of a decisive nature was imperatively necessary. Under the stimulus of open revolt it shook off its lethargy with unwonted rapidity, and before January was over it had decided upon the drastic course of suspending the constitution of Lower Canada, and of sending out a new governor armed with dictatorial powers to enforce immediate submission and to make a full inquiry into the alleged grievances of the *habitants*. This inquiry, the ministers hoped, would form the basis upon which a new constitution could be drafted, under the provisions of which political harmony could be secured. But to find just such a man was not easy, for nature does not often give the firmness of a dictator and the tact of a diplomat to one and the same individual. Ordinarily, the task would have been an extremely difficult one for any ministry, but there was, at this time, one individual to whom the members of the administration were able with unanimity to turn. This man was Lord Durham.

John George Lambton, first Earl of Durham, was born at Lambton, in the County Palatine of Durham, on April 12, 1792. The son of a staunch Whig he entered the House of Commons as soon as he became of age, as the representative of his native shire, and soon connected himself with the radical wing of the Whig party which, though at that time numerically weak, was opposing the

Liverpool ministry with much spirit. During the movement which culminated in the passing of the Great Reform Act of 1832, Lambton took a leading part. In the same year he was intrusted with a diplomatic mission to St. Petersburg, which he carried out with conspicuous success. In 1828, he had been made Baron Durham, and, in 1833, he was further honored by an elevation to the dignity of an earl. Some two years later he became ambassador to Russia, and had just retired from this post when the threatening state of affairs in the Canadas gave new fields for his energy. In spite of the check placed upon his political activities by uncertain health and the possession of an unfortunate acerbity of temper which he did not always hold in full control, Durham was, in 1837, one of the most popular of English peers. And there were other reasons why his appointment at this time seemed a wise stroke. The fact that Durham had always been a Liberal in politics seemed to render safe the intrustment to him of dictatorial powers, while related as he was, by blood, marriage, and training, to the conservative element in England, he was, in spite of his liberalism not unacceptable to the Tories. Consequently his appointment brought forth unqualified

"that the rebels should be treated with the utmost possible leniency compatible with the public safety."

Arriving at Quebec, Lord Durham issued a proclamation dissolving the old Executive Council and appointing, under the terms of the Act suspending the constitution of the province, a new Council of five members taken from among the members of his own entourage. Although the earl has been soundly criticised for having done this, he had, as his proclamation shows, the soundest reasons for his action. He desired his council to be so composed that the responsibility for every administrative act should rest upon his own shoulders. He wanted to hold himself entirely aloof from every faction in the province, and this he could not do if members of his council were to be taken from the ranks of its prominent men.

The next question which thrust itself upon his attention was the difficult one of disposing of the rebel leaders. Some of these were in custody awaiting trial, some of them were at large in the province and some were in the United States, but anxious to return. To bring those in prison to trial and to decree the perpetual outlawry of those at large would augur ill for permanent pacification: to allow all to go free would have been construed as a lamentable confession of weakness, and would, in addition, have unquestionably disgusted the loyalist section of the population. Durham attempted a solution of the question which, whatever its defects, had at least the merit of originality. He opened up indirect communication with some of the more prominent of the leaders in which he is alleged to have pledged himself that if they would place themselves unreservedly at his disposal, without demanding a formal trial, a general amnesty would be proclaimed in favor of all the minor figures concerned in the revolt. The plan was successful, and, toward the end of June, 1838, eight of the more prominent rebels gave themselves up unreservedly. Three days later, the council passed an ordinance decreeing their immediate deportation to The Bermudas. The same

ordinance forbade the return to the provinces of Papineau and about a dozen others who had not accepted the proposal, but granted a full pardon to all others, saving only those who were charged with the murder of Weir and others. Accordingly, the eight leaders were placed on board her majesty's ship *Vestal*, then in port at Quebec, and set off for The Bermudas where they arrived in due course.

In the colony this action was received quietly and, on the whole, with approval. But in England, on the other hand, it at once brought forth a chorus of disapproval. As soon as the news reached London, Lord Brougham, who was a bitter personal enemy of Durham, commenced his onslaught by the introduction of a Bill to provide indemnity for all those who had been concerned in putting the ordinance in force. The law officers of the crown reported that the ordinance was clearly illegal, the governor-general having no authority to order the detention of prisoners in The Bermudas or anywhere else outside his own jurisdiction. Despite the exertions of some of the earl's warm friends, the Indemnity Act passed both Houses, and the colonial secretary notified the earl that her majesty had been forced to disallow the ordinance of deportation. But before the despatch reached Quebec, Durham read the news in the columns of a New York newspaper, and at once mailed his resignation. His reason for this hasty action,—often criticised by writers as the result of a petulant temper,—is best given by the earl himself. “I have come to the determination of resigning, not merely because I feel disgust and annoyance at the malignity and treachery with which I have been assailed, . . . but because all weight, all power, is taken from my authority; all civil power is annihilated; nothing remains but military force, which I cannot wield as well as an officer and would not if I could. Under these circumstances I feel that I can be of more service to Canada in the Parliament of England than here—a degraded, disavowed governor.”



James Bruce, Earl of Elgin and Kincardine.
Governor-general of Canada, 1847-1854.

Both portraits are from the Sir Gilbert Parker Collection.



Charles Edward Poulett Thomson, Baron Sydenham.
Governor-general of Canada, 1839-1841.

Without doubt, the ministry had not accorded the high commissioner that unwavering support which he had, under the circumstances, the right to expect: whether the necessities of the case were such as to justify an immediate resignation is a question upon which the friends and critics of the earl have disagreed. But before the governor-general took his departure his impetuosity got the better of his prudence on more than one occasion. When it became his duty to announce officially the disallowance of the Deporation Ordinance and the enactment of a Bill of Indemnity to all who had been concerned in putting the ordinance in force, Durham, instead of making the announcements without comment, proceeded to set forth at considerable length his own disapproval of the measures in question. This expression, in a royal proclamation, of unstinted criticisms of the policy of the British authorities was, to say the least, an unparalleled political phenomenon. When the report of this act reached England, there was but one course open to the ministry: to advise the earl's immediate recall. The *London Times* referred in sarcastic terms to the "presumption and arrogance of the Lord High Seditioner," while the *Spectator* urged that the ministry should deal in exemplary fashion with the official who had made "an indecorous appeal against the government and Parliament of Great Britain to the prejudice of an excited people." Instead of accepting the earl's resignation the ministry advised a summary recall, the order for which was despatched without delay.

Durham, however, did not wait for the letter of recall to reach him. There were several matters requiring his immediate attention, and he determined, when these were arranged, to set out for England, leaving Colborne once more in charge. Many important administrative reforms were under consideration at the time, but these were one and all dropped. Durham gave his signature to such measures as had already received the formal assent of his council, made a few minor appointments, arranged his private affairs, and early in

November,—less than six months from the date of his arrival in the colony,—was on his way home. The departure of the earl was made the occasion of a great popular demonstration in his favor, and on his arrival in England the Radicals gave him an enthusiastic reception.

The vessel which bore the earl homeward was hardly out of the St. Lawrence when the flames of revolt burst forth anew. This time it had its centre at Beauharnois, although it soon became general throughout the district lying west of the Richelieu and south of the St. Lawrence, and extending to the American frontier. But with his usual swift and vigorous measures Colborne crushed the bodies of rebels at different points before they were able to effect any dangerous concentration. This recrudescence filled the prisons anew, and some of the judges, doubting the right of the council to suspend the operation of the Habeas Corpus Act, began to issue writs for the production of the prisoners in the civil courts. Colborne met this official insurrection effectually by suspending from their functions the judges who had thus ventured to tie his hands at a critical moment, and in this the home authorities gave him prompt and decisive support.

As for the prisoners now in custody, it was determined that they should be tried by courts-martial. Some few were hanged; others were outlawed and forbidden to return to the province upon penalty of death; the greater number of those convicted were, however,—by express British authority on this occasion,—shipped to the convict settlements in Australasia. Colborne's severity, though justifiable, served to engender a feeling of irritation among a section of the *habitants* which the lapse of several decades did not wholly eradicate.

By the spring of 1839, the province showed unmistakable signs that no further danger was to be apprehended and the militia corps were disbanded; Colborne, at his own request, was recalled, and Mr. Poulett Thomson—the province now requiring a statesman rather than a soldier—was sent out

to take his place. The authorities recognized Colborne's efficient services in the suppression of the insurrection by honoring him with an elevation to the peerage and a substantial pension.

But to turn to contemporary events in Upper Canada. In that province matters had been brought to a head by the triumph of the Conservatives in the general elections held during the spring of 1836. Practically all the reform leaders, including even Mackenzie himself, had been defeated at the polls; so that the era of passive resistance to the executive policy seemed to have passed. Although they did not venture to proclaim it at the time, it must have seemed to the more prominent reform leaders that the day for active resistance in some form was at hand. The articles which Mackenzie had been publishing in his newspaper, *The Constitution*, became more openly hostile and inflammatory; meetings of his sympathizers were held in different parts of the province; communication was opened up with Papineau and the other leaders of discontent in Lower Canada; while in some parts the drilling of men and the concentration of arms and supplies were secretly begun. All this continued for nearly a year, without the slightest interference from Governor Head. That the latter well knew what was going on is beyond question, but he believed, as he afterward declared, that it would work out its own cure, through the channels of public opinion. Hence, when the first rising took place in Lower Canada, Colborne was permitted to withdraw all the troops from Toronto and Kingston, leaving those centres entirely ungarrisoned, for Head did not see fit to accept Colborne's wise advice that militia regiments should be enrolled to take the place of the departed regulars.

Everything seemed most favorable for the contemplated outbreak, and Mackenzie, who was by all means the most impulsive of the reformers, determined to seize the opportunity. Morrison, Rolph, and the other leaders were reticent, but at a meeting held during October at Noël's brewery, on the outskirts of Toronto, Mackenzie seems to

have demonstrated the advisability of an immediate stroke. At this and subsequent meetings held elsewhere, it was agreed that the malcontents of the province should be summoned to rendezvous at Montgomery's tavern, about four miles from Toronto, whence an immediate descent would be made on the City Hall, in which a large quantity of arms and ammunition was stored. This done, it was regarded as a simple matter to make prisoners of the governor and his Council; to proclaim a reform constitution, and to secure its adoption by the people long before the home authorities would be able to interfere. Much stress was laid on the fact that in Lower Canada all the disposable regular troops would be kept fully employed by Papineau and his adherents. The 7th of December was selected as the date of the attack, but in the meantime Governor Head, on the earnest solicitation of his advisers, shook off his apathy sufficiently to call together a meeting of his council, in order that the situation might be discussed. News of this reached the ears of Rolph, who, without consulting Mackenzie, determined to precipitate the attack by three days and to reach Toronto on the 4th. This upset Mackenzie's arrangements to such an extent that the force which gathered at Montgomery's tavern numbered less than four hundred instead of the boasted four thousand which the leaders had assured themselves could be rallied. Had even this small force pushed into the city on the night of the 4th, the surprise would have been a complete and probably a successful one; but when the leaders decided to postpone the attack until the following day, they discarded the only trump card they possessed.

The delay of a day allowed full information to reach Head, who, not less convinced than astonished, now stirred himself in a way which surprised even his friends. The loyal inhabitants were speedily rallied and armed; and the governor quickly accepted a suggestion, tendered him by one of his military attachés, that a flag of truce should be sent to the rebels, with an offer of negotiation, as a means

of gaining a few hours. The messengers were received by the insurgent leaders, who asked that Head's proposals should be put in writing, promising to refrain from attack till the messengers could return with the written proposals. In this way several valuable hours were gained by the authorities, while the knowledge that surprise was out of the question disheartened the rebels. Still, having had their numbers augmented by recent arrivals to the number of nearly eight hundred in all, a night attack was decided upon. This attack, however, miscarried, chiefly owing to the fact that many of the insurgents, having been assured of the bloodless capture of the city, now refused to lend any enthusiasm to an assault. Next day, matters had entirely altered. A body of militiamen under the command of Colonel Sir Allan MacNab arrived by steamboat from Hamilton; the city was barricaded and made secure. At the same time, Mackenzie's followers deserted in large numbers. Now that the tide had turned decisively in his favor, Head determined to move out with as strong a force as his slender resources would permit him to mobilize. Leaving a guard of some two hundred men to garrison the place, a body of over four times that number, with MacNab in command, proceeded toward Montgomery's tavern, where Mackenzie still had his headquarters. After a conflict which was little more than a skirmish, the casualties on both sides being little over a dozen in number, the rebels scattered in haste. An ignominious failure in its outcome, the rising had in it an element of danger to the government; for, had the rebels been capably led, the optimism and apathy of the authorities might have given the provincial capital as an easy prey to Mackenzie and his men. Substantial rewards were offered for the apprehension of the leaders, but most of these, including Mackenzie himself, managed to make good their escape to the United States.

In other parts of the province there had been little open manifestation of disloyalty except at London in the western peninsula. Head decided to send a force thither, and this

he intrusted to MacNab. The leaders of disaffection in the London district were taken into custody, while their followers were disarmed and dispersed without difficulty. The failure of his immediate plans in no wise extinguished MacKenzie's hopes of ultimate success, and, with Buffalo as his headquarters, he busied himself with preparations for an invasion of the province from the United States. By the offer of lavish grants of land and monetary bounties, MacKenzie and Rolph, who had joined him, were able to gather together a rather motley host of partisans. Operations were begun by the seizure of Navy Island, a small islet in Niagara River a few miles above the falls. This they fortified under the directions of one of their number, Kilaen van Rensselaer, a dashing but unsteady scion of the old Albany patroon. At Navy Island a considerable force was allowed to concentrate, despite vigorous protests made by the British to the American authorities, and Head thought it prudent to mobilize his militia on the river where an attack was likely to be made. Supplies were brought to the "Patriots," as the Island forces denominated themselves, by means of a small steamer, the *Caroline*, and MacNab determined that a stroke could be accomplished by the destruction of this vessel. Accordingly a small body of men under the command of Lieutenant Drew, of the royal navy, undertook this task and finding the *Caroline* moored on the American side of the river, managed to surprise her guard and drive them ashore, after which the vessel was set afire and allowed to drift toward the falls. The affair caused quite a wave of excitement in the United States, for the attack was undoubtedly a violation of the rights of a neutral State, and a prompt demand for reparation was made to the British authorities. But the latter were prompt to assert that the American authorities themselves had not been without fault in permitting a raid on a friendly State to be organized in the territories under their jurisdiction and by their own compatriots. It was only some years later, after the relations between the two countries had become ominously strained, that with

mutual explanations and a tardy British apology, the affair was allowed to drop. Shortly after the episode of the *Caroline*, the "Patriots," finding that Navy Island was being rendered untenable by the establishment of batteries on the Canadian shore, evacuated the position and dispersed. Abortive attempts to conduct forces of American sympathizers into the province were made about the same time at Windsor, and at Prescott on the St. Lawrence. At the former place the invaders were dispersed by a small force of militiamen, while at the latter the party, having made good their landing on the Canadian side of the river, were with considerable difficulty surrounded in a stone windmill and forced to surrender.

Like its sister province, Upper Canada had now a large quota of prisoners on its hands. There was a difference, however, in that, in the latter, many of the prisoners were American citizens who had only themselves to blame for having become mixed up in a movement which in no way concerned them. But their foreign citizenship was allowed in no degree to operate in their favor. Courts-martial were assembled at different points, and a considerable number of persons were executed, while scores were sentenced to transportation.

Now that the affair was over, the British authorities saw plainly that the apathetic and imprudent conduct of Governor Head was not a little to blame for the whole difficulty. For he had followed up a year of injudicious administration by a year of gross neglect of the most obvious military necessities. Consequently, he was now recalled (1838), to be succeeded by Sir George Arthur, formerly governor of Tasmania.

But to return to Lord Durham. Before leaving Canada, as well as while on shipboard, the earl had devoted much of his time to the preparation of an elaborate report on the causes of the discontent in the colonies, together with proposals for the removal of the same, this being, as will be remembered, one of the tasks which had been set before

him at the time of his appointment. This report was completed early in January, 1839, and soon appeared both in the columns of the *London Times* and in pamphlet form. Taken as a whole the report was a masterpiece, and it may well be doubted if a more comprehensive state paper has ever been laid before a legislative body. In the course of the document, Durham proceeded to trace with singular historical judgment the causes which had given rise in Lower Canada to racial differences; or, in other words, had caused racial and political differences to become coördinated. "I came," he says, "to find a struggle between a people and a government; I found two nations warring in the bosom of a single State; not a war of principles, but a war of races" The separation of the provinces in 1791 was, Lord Durham claimed, a grave error. The British authorities had apparently expected that two races, differing in energy, blood, creed, laws, language, and traditions could develop harmoniously under separate but identical political institutions. The sequence, according to the report, had abundantly justified those who, in 1791, had asserted that nothing of the kind would take place. Coming down to more specific considerations, the report dealt with the economic and social grievances of Lower Canada. Chief among the former was the retention of the system of seigniorial tenure which, after careful consideration from every standpoint, the report unhesitatingly declared ought to be abolished, due compensation being granted to the parties detrimentally concerned. The report then proceeded to draw attention to the inefficiency and expensiveness of the colonial judicial system, recommending divers reforms, chief among which was the exclusion of judges from any participation in the executive functions of government. With keen legal acumen the earl took occasion to point out the error into which the British authorities had allowed themselves to be drawn when they undertook to retain intact the old French system of civil procedure and the French civil law code without retaining, at the same time, that

administrative system which was absolutely essential to its enforcement; or—what was even more vital—adequate machinery for the progressive adjustment of the civil law code to the needs of a growing colony.

But it is in his consideration of the specific political grievances that the commissioner showed his most thorough grasp of Canadian affairs. After sketching the history of the feud between the executive and legislative branches of the colonial administration, the report stated plainly that the main source of the whole trouble could be found in the irresponsible character of those officials to whom executive functions had been intrusted; a conclusion which directly controverted that reached by the Gosford Commission of a few years previously. The refusal of the Assembly to vote the annual supplies was, Durham believed, fully justified by the plain fact that this was the only defensive weapon that the legislature possessed. "It is a vain illusion," the report declared, "to imagine that simple restrictions in the constitution, or an exclusive system of government, will induce a body of popular representatives to content themselves with a voice in legislation, at the same time resting passive or indifferent while those who are supposed to execute the laws elude them, and while men in whose capacity and intentions they have no confidence, manage the affairs of the country." The earl's proposal in this regard was, therefore, the full adoption of the principle of direct ministerial responsibility. The one great difficulty was that this would place the British minority in the lower province completely at the mercy of the French majority, for in the past the crown had carefully guarded the interests of the former by giving them predominance in the composition of the executive. But this difficulty the report sought to meet by proposing an immediate federation of the two provinces of Upper and Lower Canada with an ultimate federation of all the provinces of British North America.

A chapter in the report was devoted to the consideration of affairs in Upper Canada. The matter of the Clergy

Reserves received its share of attention, and the secularization of these was recommended. The political grievances of the province it was hoped would, in a large measure, work out their own remedy if the principles of ministerial responsibility and federation were adopted. Nor were the Maritime Provinces denied their share of consideration in the report. Particular grievances were examined and remedies suggested. Especial attention was devoted to the causes of decreased immigration into these provinces, the necessity of an inter-colonial railroad was pointed out, and the problems arising out of the land monopolies in Prince Edward Island were commented upon. Finally, Durham discussed at some length the general features of governmental policy which had given more or less cause for dissatisfaction in all the provinces. The system of granting large tracts of land without strict requirements as to speedy settlement came in for criticism. In conclusion, Durham urged that as far as possible, friction with the great and growing republic to the south should be avoided and her friendship cultivated. But of all the recommendations which the report contained, two stand out as predominantly important: the proposal for complete colonial autonomy with the predominant political power in the hands of an elective legislature, and the proposal for an intercolonial federation. Durham was able to see that there were insurmountable practical difficulties in the way of an immediate federation of all the provinces, but he held firmly to the idea of a union of Upper and Lower Canada as the first step in that direction.

The question as to whether Durham himself wrote his report has been much discussed at various times. Greville, in his diary, records his opinion that it was written partly by Buller, partly by Wakefield, two clever members of his entourage. John Stuart Mill thought practically the same. In fact, the general opinion at the time was epigrammatically expressed: "Wakefield thought it; Buller wrote it; Durham signed it." But opinion has since changed concerning

the authorship of the report, and Kingsford has gone so far as to dismiss the idea that Durham was not the sole author of the whole report as "unworthy of a quarter-of-an-hour's consideration." But this is merely rushing to the other extreme, for the theory that Durham wrote all the three hundred pages which the report contained is, for a variety of reasons, as improbable as that he wrote nothing at all. But be this as it may, the whole of the matter which the document contains was certainly subjected to his lordship's scrutiny and its incorporation as certainly received his sanction.

In due course the report was considered in Parliament, the ministry having decided to adopt the main recommendations of the earl. By agreement, many of the less important proposals were to be left for the consideration of the new Parliament with which the United Provinces were now to be provided.

Accordingly, during the session of 1839, a bill was introduced into the British Parliament providing for the union of the provinces, the Melbourne ministry standing sponsor. In the committee stage, however, the point was made with much force that it would be untactful to put through a measure of such moment without having first ascertained through Parliamentary channels, the feelings of the Canadian people themselves on the merits of the measure. In this view the ministry concurred, and instructions were forthwith transmitted to Governor Thomson to have the legislative bodies in each province express their concurrence, or otherwise, by resolution. In Lower Canada, the constitution being still suspended, the only existing legislative body was the governor's Council, the members of which were, for the most part, drawn from the English-speaking minority of the province. Consequently, the governor found no difficulty whatever in having his favorable resolutions passed with only one or two dissenting votes. There is every reason to believe that a popularly elected House, dominated by the French-speaking section of the inhabitants,

would have obstinately refused its assent to anything of the kind.

In Upper Canada, on the other hand, while there was no serious objection to the principle of union, there was on the part of the Legislative Council, at any rate, a very strong aversion to the principle of ministerial responsibility, which it was proposed to recognize in the Parliamentary machinery of the new régime. In this Council the old Family Compact influence was still dominant; the old conflicts with the Lower House were far from forgotten, and the members of the Council saw clearly enough that with the reduction of that body to a position of dependence on the popular House, the last vestige of their independence, power, and patronage would probably disappear. Thomson, however, confronted them with a despatch from the home authorities strongly approving the measure, and the councillors had to accept the resolutions or place themselves in a position of hostility to what the British authorities considered to be for the best interests of the province. And after a decade or more of ardent professions of loyalty to the dictates of the home government—professions which had constituted their chief political asset—the members of the Council and their adherents in the province were not prepared for any such alternative. A hint from the governor that members of the Council—appointees of the crown—could not with seemliness oppose the projects of her majesty's advisers and still continue in office had, no doubt, its influence as well. At any rate, the resolutions passed the Council, while the Legislative Assembly gave adherence by a decisive majority. Public sentiment in the two provinces having through its Parliamentary agents given a formal assent to the proposal—although in Lower Canada, as has been shown, this assent was farcical in the extreme—nothing now remained but the sanction of Parliament. A draft measure, prepared in Canada under Thomson's supervision, chiefly by Chief Justice Stuart, was transmitted to the ministry, and, under the name of the "Canada Bill," passed

both the Commons and Lords with comparatively few amendments during the course of the summer months of 1840. Provision was made, however, that it should not go into operation until the following February, 1841.

The Act provided for the union of the provinces under the name of the Province of Canada, hence it is, in Canada, commonly known as the Union Act of 1840.

The organs of government were to consist of a governor-general appointed by and holding office at the pleasure of the crown; a Legislative Council of not more than twenty members chosen by the crown and holding office for life, and a House of Assembly consisting of eighty-four members—forty-two from each province—elected from territorial constituencies delimited in the Act. Each member was required to have a landed property qualification of not less than five hundred pounds sterling. The Executive Council was not dealt with by the Act, for like the British Cabinet, of which it was supposed to be a miniature, it had no statutory basis. The principle of ministerial responsibility could receive full operation merely through its tacit recognition by the crown, without the necessity of any formal enactment.

Provision in the Act was likewise made for a permanent civil list in lieu of the territorial and casual revenues heretofore at the disposal of the crown; for a consolidation of the revenues and debts of the provinces, and for the sole use of the English language in all Parliamentary proceedings, a feature which was received with marked disfavor by the dominant party in Lower Canada.

Such was the Constitution under which the two Canadas, now united in one, were governed during the next twenty-six years. As the sovereign of Great Britain was appending her signature to this epoch-marking measure which gave her most important colony its first heritage of unity and autonomy, the man to whom all parties concerned were most indebted for the outcome lay dying at Cowes, in the Isle of Wight. Lord Durham had returned to England, despite

ample assurances of continued public confidence, downcast and crushed in spirit. His health, never robust at the best, soon began to give way under the weight of chagrin, and although he appeared occasionally in the House of Lords during 1839, his old vigor was completely gone. In the spring of the following year he grew gradually worse and his physicians ordered a stay in southern France. It was on his way thither that his lordship was stricken down at Cowes, and died in the closing days of July. Even in his latest flashes of consciousness he gave sign of the deep disappointment hanging heavily on his mind. "I would fain hope," he said to those around him, "that I have not lived altogether in vain. Whatever the Tories may say, Canadians will one day do justice to my memory." Never has a dying wish been more amply gratified: Canadians of all shades of race, religion, and political opinion have long since done ample justice and given deserved rehabilitation to the memory of this most gifted of all their governors. A confederated Dominion reaching from the Atlantic to the Pacific is one enduring monument to his political sagacity, for to him the beginnings of union were unquestionably due. In every colony of the Empire his name has become inseparably associated with the great principle of colonial autonomy.

Durham had many of the great qualities which go to make a capable administrator; he had few of those which go to make a popular man. His petulance and extreme *hauteur* were well-nigh unendurable, and these qualities, unamiable enough in themselves, were intensified by his unusually vigorous expression of his feelings on the slightest provocation. But his quickness of apprehension, his innate shrewdness and power of penetration, and his stupendous capabilities for work mark him as one of the rarest of men. Durham's place in history must be determined by his achievements and by those alone. For himself he achieved disappointment and a premature grave; for Canada and the Empire he laid the basis of a new epoch.

in harmonious relations. "He marred a career but he made a nation."

"No episode in our political history," says Trevelyan, "is more replete with warning to earnest and public spirited men who in seeking to serve their country forget what is due to their own interests and their own security than the story of Lord Durham."





CHAPTER XVII

CANADA UNDER THE UNION, 1841-1867

IT may not be amiss at this point to take a general survey of the state of affairs in the United Provinces of Upper and Lower Canada at the time of their union. In spite of political commotions, Upper Canada had been steadily increasing in population until by 1840, the total might be set at somewhat under half a million. The exact figure cannot be given with confidence, for the reason that the census was taken in different districts in different years. Lower Canada exceeded its sister province in population by at least one hundred and fifty thousand. Of the grand total, the English speaking section formed the majority, but not decisively, while on the basis of religion, Roman Catholics and Protestants about equalled each other in the United Provinces. In both, the population was mainly rural. Lower Canada had but three urban centres of importance; Montreal, now a thriving city of about forty thousand souls; Quebec, with its slowly increasing thirty-five thousand; and Three Rivers, still a straggling town of less than three thousand inhabitants.

In Upper Canada, on the other hand, Toronto, Hamilton, Kingston, and London, all of them yet small cities, were growing rapidly in trade and population. The present Ottawa was a straggling village with no importance save as a depot for the shipment of supplies to the lumber camps further up the river.

In Lower Canada, the *habitant* of 1840 differed but slightly from his great-grandfather of 1763. Economically and socially he had advanced very little. The general illiteracy was strikingly shown in 1828, when, of the eighty-seven thousand names appended to a petition, only nine thousand were written by the petitioners. The rest made their marks. The *habitant* was as unambitious as ever, obeying with a complacent indolence the injunction to take no thought for the morrow. His own disposition and the system of land tenure combined to keep his methods of cultivation primitive. Fertilizing the land was rare; rotation of crops almost unknown. Large families were the rule and the scant returns which his small rectangle of land yielded usually made it difficult for the *habitant* to live comfortably. Obeying with laudable fidelity the scriptural counsel to "be fruitful and multiply," he was much less assiduous in replenishing the earth. Occasionally a settler of British origin might be found caring for his land in proper fashion, but his example was rarely followed by his French-Canadian neighbors.

satisfactorily. The British Navigation Acts were still in force, and Canada profited greatly by their provisions. The St. Lawrence was closed to foreign commerce, so that British and Canadian shippers divided the profits of the carrying trade. In both Lower Canada and the Maritime Provinces shipbuilding was an important and growing industry. In 1841, no fewer than sixty-four seagoing vessels, aggregating over twenty-four thousand tons, left the stocks at Quebec alone. The virtually exclusive privilege enjoyed by the provinces of supplying the British West Indies with lumber and raw materials of all kinds was likewise a feature which contributed substantially to the growth of their sea-borne commerce. In general, the economic outlook was hopeful; the backwardness of agriculture in Lower Canada alone gave ground for misgivings.

The first Parliament of the United Provinces of Upper and Lower Canada convened at Kingston on the 14th of June, 1841. Kingsford gives the 13th as the date, but investigation shows that the 13th of June, 1841, was a Sunday; the proclamation summoning the House, dated April 30th, gives the date of meeting as the 14th.

Governor-general Charles Poulett Thomson, who had now become Baron Sydenham, had already nominated both his Executive and Legislative Councils, and the composition of each had been made known to the people before the elections for the Legislative Assembly had been held. The members of the Executive Council were Robert Baldwin Sullivan, John Henry Dunn, Samuel Bealey Harrison, William Henry Draper, Hamilton Hartly Killaly, Robert Baldwin, Dominick Daly, Charles Richards Ogden, and Charles Dewey Day. Of these the first six were selected from Upper Canada, while the remaining three came from the Lower Province. None was of French origin, while only one—Mr. Daly—was a Roman Catholic. The composition was therefore not such as to inspire the French portion of the population with any great hopes in the new administration. Baldwin was by all means the ablest of the nine

councillors, and his presence in the Council gave it considerable strength. But he had little confidence in his colleagues. In fact, the Upper Canada members were men to whom he had hitherto been politically opposed, and he had entered the Council only because he regarded its original composition as purely tentative. This first Executive Council was truly a curious piece of political mosaic, but in the end, thanks to the untiring energy of Lord Sydenham, it served as a starting point in the new scheme of administration.

In the Legislative Council the French-Canadian element was given a fairer representation, eight out of the twenty-four members having been drawn from French-Canada. The elections for the Legislative Assembly passed off rather quietly in the Upper Province, but in Lower Canada there was a great deal of bitterness. In general, the result was such as to ensure the administration a working majority.

No sooner had the Assembly met at Kingston than Baldwin proposed the reconstruction of the Executive Council, with the introduction into it of some French members. Sydenham's refusal to do this brought Baldwin's resignation, but the other eight members remained in office. The Assembly was extremely desirous that the governor should give some definite assurances on the subject of ministerial responsibility. Sydenham, however, would do no more than to promise, in terms which were too general to be satisfactory, that the executive would maintain in general a deferent attitude toward the representatives of the people. That the executive should hold itself accountable to the Assembly in regard to every measure was neither promised nor implied.

The first session was marked by the passage of several important measures. The customs laws were revised; the outlines of an educational system, based on the lines suggested by Buller in Durham's report, were prepared; and the framework of a municipal system was devised. In addition to personally drafting these measures, Sydenham did much to

ensure their passage, and spared no pains in his endeavor to allay racial and factional bitterness. Under this strain his none too robust physique soon gave way. "I actually breathe, eat, drink, and sleep on politics," he wrote; "I long for September, beyond which I will not stay here if they were to make me Duke of Canada or Prince of Regiopolis, as this place is called." An accidental fall from his horse accelerated his breakdown, and he died on September 19, 1841. It was due mainly to his tact, energy, and cool judgment that the wheels of the new administrative machine had been set smoothly in motion. What Durham planned, Sydenham executed. Possessing but little of Durham's brilliancy of conception, he was more calculating, more practical, more effective in his mastery of details, more tactful in the handling of men. Canada owes much to Sydenham. Nor have her historians begrudged him his meed of praise. To his supercritical contemporary Greville he was nothing but a "good-humored, pleasing, and intelligent coxcomb," and Harriet Martineau saw fit to class him among the "great Whig failures." But Canadians know him only as the tactful administrator who fairly earned his peerage in the service of their infant Union; who gave of his declining strength unsparingly in her interest; whose loyal care cradled her institutions through a critical year, and whose mortal remains repose, by choice, among her dead. Among the political incapables which a misguided mother-land too often inflicted upon her colonies in the first half of the nineteenth century, Durham and Sydenham stand out as conspicuous exceptions. The success of the Union is their joint epitaph.

One of Sydenham's last acts was to arrange for the prorogation of Parliament. The members now dispersed and the officer in command of the forces assumed the reins of government pending the arrival of the newly-appointed governor, Sir Charles Bagot. Bagot was the nominee of the new Peel ministry and came to Canada with a reputation as a diplomatist gained in service at a number of foreign

embassies, Washington among the number. He found, on his arrival an ample array of difficulties, both domestic and foreign. Both parties in the Assembly and Legislative Council expected support from him; the Radicals because they had, or believed that they had, the sentiment of the colony behind them; the Conservatives because the Tory predilections of the new governor were known. Bagot did his best to steer a middle course between the two factions, and for the time being was successful. The strained relations with the United States next demanded his attention. Ever since 1837, the feeling between the provinces and the republic had been none too good. Matters had now reached a serious stage owing to the arrest in New York State of one McLeod, who had been a participant in the burning of the *Caroline* some few years before. But the acquittal of McLeod on the merits of his case was at once a tribute to the fairness of American jurors and a happy solution of what, for a time, seemed likely to prove a grave international question. Still there were other causes of friction. The continued transit of slaves through the Northern States by way of the famous "underground railroad" into Canada, where they became forthwith free, gave much offence to the slave party in the United States. But the British authorities firmly declined even to discuss the question of surrendering such fugitives. Very properly so it would seem, for with the exception of murder and forgery, even serious crimes had not yet been made the basis of extradition. Then there were questions relating to boundaries. Repeated efforts to delimit the boundaries between Lower Canada and the State of Maine had been futile, and the people in the disputed territories were clamoring for a settlement of the question. Promise was now given of a definite solution by the appointment of the Hon. Alexander Baring (afterward Lord Ashburton) and Daniel Webster as the respective arbitrators of Great Britain and the United States, with power to recommend a compromise boundary. Baring was a man of some ability and with considerable diplomatic

experience, but he was no match for his vigorous and keen-witted American opponent. He would, in fact, have needed all the subtlety of a Talleyrand and the firmness of a Bismarck to have entered the diplomatic lists on equal terms with the leonine thunderer of the American Senate. Those in Canada who still stand amazed at the result of the negotiations may find ample solution of their amazement in the widely different mental calibres of the negotiators. It is not necessary here to narrate the claims on which the two States rested their respective titles to the disputed territory. It is enough to say that the two arbitrators effected an agreement which was embodied in the so-called Ashburton Treaty, and signed August 10, 1842. By the terms of the treaty Canada relinquished her claims to several thousand square miles of valuable lands, receiving in return a smaller tract of sterile wilderness. The boundary between Maine and Lower Canada was delimited as it stands at the present day. In the west the boundary line was fixed as far as the Rockies, neither side gaining or losing very much. The line west of the Rockies was left undefined, only to prove the basis of difficulties in years to come. Tentative agreements were reached on the minor points at issue between the two countries, while what remained of the *Caroline* episode was disposed of by the American acceptance of apologetic assurances given by the British authorities. Those who would judge Ashburton very harshly should bear in mind the unconsoling fact that if he fared ill, others might have fared worse at the hands of the great American jurist from whose overwhelming personal power even the Supreme Court of his own land could not profess entire immunity.

While foreign complications were thus being slowly unravelled, Bagot found himself faced by the problem of ministerial reconstruction. It had been thought that a partial reconstruction of the Executive Council would suffice to satisfy the Assembly, and a seat had been given to Sir Francis Hincks with this end in view. Sir L. H. Lafontaine, the strongest member of the Lower Canada delegation, was

also urged to accept a place in the Council; but he preferred to join hands with Baldwin in demanding complete reconstruction. Bagot found it necessary to accede to this demand, and, in the autumn of 1842, the so-called Baldwin-Lafontaine ministry took control. The composition of the new ministry was as follows: Upper Canada—Baldwin, Sullivan, Harrison, Killaly, Hincks, and J. E. Small; Lower Canada—Dunn, Daly, Aylwin, and Morin. Several of the old members retained their portfolios, although not, as Turcotte asserts, on condition of conforming to the policy of the new heads.

The new ministry was bitterly assailed by the Conservative press of both provinces, for Baldwin and Lafontaine were alike pronounced Liberals, and Liberalism coming on the heels of rebellion savored of disloyalty. The bulk of the criticism was directed against Bagot for having accepted the reconstruction idea at all. But any different action on the part of the governor would have been in contravention of the broad principle of responsibility which Sydenham had enunciated a few years before, for the reconstruction ministry had the support of more than two-thirds of the members in the Assembly. Even the leading organ of British public opinion—the *London Times*—failed to see the situation in its true light. “The result may prove auspicious,” it declared, “and we are willing to hope for the best. But it is a somewhat ominous consequence of the new order of things that a governor is forced to call to his councils, on their own terms, men who have lately been proscribed or in prison.” The French-Canadians, on the other hand, were jubilant at the new turn in affairs; with their leader holding the chief place in the ministry, they could now look upon the Union as tolerable for the present, and perhaps as even offering hope for the future. The legislation of the session was not important, most of the time being taken up in working out the details of general measures passed the year before. Bagot appeared to be in good health when prorogation took place, but during the

next few weeks he broke down physically, and died in the course of the following spring. Without possessing conspicuous talent or marked qualities of statesmanship, the deceased governor had assumed the rôle of a constitutional governor with grace and dignity. An ardent Tory at heart and extremely jealous of prerogative, he had shown himself able to set aside his personal prejudices even when so doing compelled him to surround himself with men whose political views were directly at variance with his own. For his refusal to reduce responsible government to a mere theory, Bagot was vigorously criticised by his Tory friends, but the experience of his less logical successor serves amply to show that his course was a wise one. French-Canadians have not forgotten his readiness to mete them out even-handed justice.

Bagot's successor in office was Sir Charles Metcalfe, a veteran of the East Indian service and a successful governor of Jamaica. Macaulay regarded him as the ablest civil servant he had ever known. Metcalfe accepted his new post much against his own wishes, and there is reason to believe—although no direct evidence to this effect exists—that his instructions contemplated a retrocession from the stand taken by his predecessor. The members of the British Ministry, and, especially Lord Stanley, who then held the post of colonial secretary, do not appear to have been convinced that it was wise to make the colonial executive entirely responsible to the colonial legislature. At any rate, had they viewed the matter otherwise, they might easily have seen that the administration of a crown colony like Jamaica was not the best training school for a parliamentary governor. Sir Francis Hincks later ventured the opinion that Metcalfe's appointment had been made with the object of thwarting the logical demands of the Liberal element in the Assembly. But Hincks supports his opinion with no tangible evidence. Be this as it may, the fact is that Metcalfe was not long in office before he found himself at odds with his executive councillors on the matter of responsibility. The

immediate question at issue was that of patronage; the ministers demanding that no appointments to offices in the civil service should be made without their concurrence. They, in turn, were willing to hold themselves responsible to the Assembly for their recommendations. But the governor remained firmly determined to use his own discretion in making appointments, and secured the cordial support of the home authorities in his decision. The executive council sought to bring the matter to a head by tendering a unanimous resignation, and this threw on the governor the task of selecting a new council in the face of an Assembly pledged to support the old. It took Metcalfe several months to get his new council together, and the autumn of 1844 was at hand before he put the issue before the people by a dissolution of the Assembly. The elections were contested bitterly, so much so that in several parts of the provinces the militia had to be called out to suppress disorders. But the new ministry obtained a small majority among the members of the new Assembly, an incontestable proof that the people were willing to uphold the governor's action. At any rate, the British authorities regarded Metcalfe's stroke as a successful one, and rewarded him with an elevation to the peerage. But he did not long enjoy his new honor, for failing health compelled his return to England in the spring of 1845, and he died of cancer soon afterward.

On leaving the colony, Metcalfe had handed over the administration to the Earl of Cathcart, who commanded the forces in Canada. Cathcart retained the new ministry in power, but its hold on the Assembly was so precarious that it could control a majority only by carefully avoiding the introduction of any measure which might possibly split its following. The earl himself was a soldier by tastes and training, and was personally more interested in military than in civil measures. In consequence he used his energies in getting a Military Bill through the Assembly, while by his representations to the war office he was instrumental in procuring a rearmament of the troops in the colony. His rather

short administration was, however marked by two events of note; the repeal of the Corn Laws in England, and the settlement of the Oregon Boundary dispute. The movement among the English Whigs for the removal of the duties on grain was regarded with open disfavor by all parties in Canada, for the preferential treatment hitherto accorded colonial grain had been greatly to the profit of the colonial farmer. The news that colonial and foreign grain importations were now to be treated equally, and that the Imperial Zollverein was at an end, produced bitter disappointment in Canada, and was one of the direct causes of the widespread agricultural depression which marked the years of 1846-1848. On the other hand, the delimitation of the international boundary, from the Rocky Mountains westward, removed an ominous cloud from the diplomatic horizon to the satisfaction of all concerned.

The administration of their political affairs by a soldier was not regarded by Canadians with any enthusiasm, nor had Cathcart shown any marked ability or zeal during the two years which had elapsed since his assumption of control. Early in 1847, the British authorities decided to replace him by the appointment of Lord Elgin. Perhaps an additional reason for the change was the fact that the Whig party in England had now become convinced that the full admission of the principle of executive responsibility would not be attended with any danger provided a popular and tactful official occupied the chief executive post in the colony. "The Queen's representative," said a leading Whig organ, "should not assume that he degrades the crown by following in a colony the example of the crown at home. What the Queen cannot do in England, the governor-general should not be permitted to do in Canada." Cathcart was asked to remain in command of the forces, but resented his removal from civil office and asked permission to return to England.

James Bruce, eighth Earl of Elgin, as a lineal descendant of the hero of Bannockburn, had a *prima facie* claim to the

sympathies of an important section of the colonial population, many of whom, especially in Upper Canada, were of Scotch descent. And as the son-in-law of Lord Durham he was assured of an initial popularity with that growing section which now began fully to realize the great service which Durham had rendered the colony. Moreover, Elgin was a staunch Liberal, thoroughly imbued with the ideas of his brilliant father-in-law, and his instructions from the colonial office were such as to allow his Liberalism free scope. The new governor found the Conservative ministry still in power, but was doubtful whether it could continue to command the support of a majority in the Assembly. However, when the Assembly met, the ministry showed a remarkable tenacity, and, despite its defeat on two measures, managed to secure a slender majority on all matters of general policy.

The year 1847 was not marked by any important political events, but it witnessed the commencement of the Irish influx, a feature which had some important political results later. The potato famine in Ireland was driving thousands from their island home to seek better fortune in America. Of these exiles the prosperous republic to the south took the lion's share, but Canada received a large quota, numbering over a hundred thousand souls. The necessity of providing for these—for many were almost destitute—put such a tax on the energies of the government that, for the time being, factional strife found itself forced into the background. With the close of the year the Assembly was dissolved and the country was soon in the throes of a bitterly-contested election campaign. All signs seemed to point to the overthrow of the Conservatives, and the results amply justified the general expectation. The Liberal majority was decisive in almost all parts of the provinces, among the members returned being the recently pardoned Nelson and Papineau.

When the Assembly met, the first division served to show the ministers that their supporters were outnumbered by their opponents three to one. Their only course was

to surrender their portfolios. The second Lafontaine-Baldwin Ministry, more popularly known as the "Great Ministry," took charge of affairs. The session of 1848 was a short one, measures being put through easily owing to the strong support which the ministers could command in the Assembly. The only measure of much importance was an Indigent Immigration Act designed to stem the flood of pauper immigration into the colony. Outside the legislative walls, however, matters were not going so smoothly as within. The so-called "Movement of 1848" was sweeping over Europe, making its democratic and liberalizing influences felt in every land. In France, it forced the "citizen king" of the House of Orleans from the throne and led to the establishment of the Second Republic. In England, its manifestations were less violent, but little less important. In Germany and Italy, the year stands out as one of the most remarkable in the history of democracy. The force of the movement was not completely spent in Europe, for slight waves reached the shores of Canada and aroused political unrest especially in the Lower Province. Papineau would gladly have assumed his old rôle as an agitator, but Lafontaine had now completely superseded him as tribune of the *habitant*. Lord Elgin taxed his own great powers of conciliation to the utmost in his endeavor to preserve political tranquillity, and would probably have been successful had not the Assembly thrown to the people a new apple of discord. This was the measure known as the "Rebellion Losses Bill," passed in the session of 1849. As its title implies, the measure was one of the unfortunate legacies of the rebellion of 1837-1838, and served to revive in all its intensity the factional bitterness of that period. The flames of the revolt had hardly been smothered when a movement for the compensation of those loyalists who had suffered losses at the hands of the rebels was begun. A commission had been appointed in 1838, and, on its recommendation, compensation had been awarded to those who could prove their losses. A few years later claims were

made by those who had spent their time and means in suppressing the revolt, and, in 1841, a sum was set aside for the compensation of this class; but the scope of the measure was limited to Upper Canada alone. It was quite undeniable that the claims of Lower Canada loyalists were equally valid, but there the difficulty of distinguishing between those who had been loyal and those who had been rebels was very much greater. For a considerable proportion of the French-Canadians had at the outset given the rebel leaders as open a support as they dared, but when hope of success vanished, these had been loud in their professions of past and present loyalty. In fact, some who had been actually convicted by court-martial of complicity in the revolt were now urging vigorously their claims to indemnification. A commission which had been appointed in 1841 to sift the bogus from the genuine claims, estimated the latter at half a million dollars, but the Conservatives, who were then in power, declined to purchase French-Canadian support at that figure. So the matter had remained in abeyance until the elections of 1848 placed the Liberals in power. Sustained by a strong majority, Lafontaine determined to put the matter through, and succeeded in securing for it a majority both in the Legislative Council and Legislative Assembly during the spring of 1849. The Bill provided for an appropriation of five hundred thousand dollars, to be raised by the issue of debentures, and to be disbursed by a commission of five members among the losers in the troubles of 1837-1838. The Conservatives in the Assembly fought the measure vigorously, and their friends in both provinces made open demonstrations against it. Numerically, the opponents of the bill were in a minority, but they made up in vigor what they lacked in numbers. On all sides they declaimed against any compensation to rebels, for it was well known that scores of those whose sedition had been notorious were to share in the division. In fact, the ministers had practically admitted this. "We hope," said one of them, "that the commission will make no Star

Chamber scrutiny as to whether a man was disloyal or not." Another declared that the question was not as to whether a man had been loyal, but whether his property had been wantonly destroyed.

When the Bill had passed the two legislative bodies, the only hope of the Conservative minority lay in inducing Lord Elgin to refuse his assent, or at least to withhold his assent until the pleasure of her majesty could be known. The latter course, by the Union Act, lay in the governor's discretion. To this end the governor was bombarded with addresses, petitions, and delegations from all quarters. But he promptly decided neither to veto nor to reserve the bill. Personally, he was strongly opposed to the measure since it diverted public funds which were more urgently needed for other purposes; but he was firmly determined to follow the advice of his ministers so long as these controlled majorities in the two legislative bodies. That the measure was not wholly the result of French-Canadian domination appeared to be proved by the fact that six out of the ten English-speaking members from Lower Canada had warmly supported it. As for withholding the measure for her majesty's consideration, he very properly declared: "I will not throw on her majesty a responsibility which rests, and ought to rest wholly on my own shoulders." Having undertaken this responsibility there was nothing for Elgin to do but to obey the wish of the people clearly expressed by a decisive majority of their accredited representatives.

On April 26th, Elgin went down to the House which, since 1844, had been meeting in Montreal,—the seat of government having been transferred from Kingston in that year,—to append his signature to a number of measures, the Rebellion Losses Bill being among the number. News of the fact soon spread about the city; the usual crowd collected, and as the governor-general left the building he was hissed, hooted, and pelted with missiles of all kinds. Had the authorities realized that the situation was becoming a serious one they would undoubtedly have taken some steps

to suppress the disorder. But no further disturbance was expected and the Assembly went on with its business. But by nightfall the affair had assumed the proportions of a riot; the crowds became boisterous, and an ominous gathering was taking place on the Champ de Mars. Thence, after some inflammatory speeches had been made, the crowd made its way to the Parliament building and commenced stoning the windows. The members made a hasty and very uncere-monious exit by way of the visitors' galleries. Forcing their way into the chambers the rioters began to wreck the furniture. One vandal seated himself in the Speaker's chair, and in mock heroics declared the House dissolved, while his fel-lows made havoc of the desks, benches, chandeliers, and other paraphernalia of legislation. The gilded mace was carried off in triumph, and it was only with the utmost difficulty that Partridge's valuable painting of her majesty, Queen Victoria, was saved from destruction by a few courageous citizens. Meanwhile, some of the more rascally element had descended to the basement and had applied the torch to the public documents stored there. The military arrived in hot haste at this point, but the building was already in flames. In a few hours the structure, with its valuable library and archives, was a heap of charred ruins. "The Paris mobs," notes a prominent writer of the time, "in the midst of revolution and anarchy, respected public buildings, libra ries, and works of art." It remained for the so-called "Conservatives" of Montreal to surpass even the terrorists of revolutionary France in their work of ruffianly destruction. The loss in dollars was greater than the amount of compensation provided for in the objectionable bill; the loss in national reputation was beyond estimation. For some days spasmodic acts of violence occurred in various parts of the city, and on several occasions a collision be-tween rioters and the military seemed imminent. Elgin was especially insistent that there should be no bloodshed, and it was his extraordinary forbearance and calm counsel which alone prevented it. "I am prepared to bear any





George Hamilton Gordon, fourth Earl of Aberdeen.
Governor-general of Canada, 1893-1898.

From photographs in the Château de Ramezay, Montreal.



Louis Joseph Papineau.
Head of the French Canadian party to 1854.

From photographs in the Château de Ramezay, Montreal.

amount of obloquy that may be cast upon me," he declared, "but if I can possibly prevent it, no stain of blood shall rest upon my name." The governor-general has been criticised for his weakness, but the speedy healing of factional breaches during the next few years amply justified his moderation.

When the legislators were able to meet, one of their first decisions was to remove the seat of government from Montreal. As no one site could be agreed upon by the members from both provinces, it was decided to hold the sessions alternately at Quebec and Toronto, four years in each city. This decision was a bitter blow to Montreal, but the rising metropolis had clearly forfeited its claim to be the colonial capital, and few were sorry for its degradation. When reports of the affair reached England there was an animated discussion in the British Parliament, but the majority both in the Lords and Commons warmly approved Lord Elgin's action. Matters in the colony quieted down with remarkable rapidity, but not before a strong element among the Conservatives had begun a movement for a political change which, they felt sure, would put an end to French domination in the affairs of the United provinces. This was a movement for annexation to the United States. Manifestoes addressed to the people at large now made their appearance in different parts of the country, and these were often signed by men of prominence. They set forth the advantages of union with the republic both politically and commercially. A perusal of the names attached to the Montreal manifesto will serve to show that the movement was not confined to a few irresponsible malcontents; the Torrances, Dorions, Gaults, Redpaths, Molsons, Workmans, and a number of other prominent families are represented among the signatures. But the propaganda seems to have made little progress outside Montreal, for public sentiment was very far from being ripe for secession. And then, as now, there was no dearth of those blatant ultra-imperialists who never fail to greet any proposal of closer relations with the United States with their frantic cries of disloyalty and sedition. Elgin was

not personally inclined to persecute those who had promoted the movement, but as some of those who had signed the manifestoes were office holders of the crown, he felt under obligation to remove them from their posts.

One of the results of the Rebellion Losses Bill was a distinct cleavage in the ranks of the Liberals. The measure had been introduced in response to the demands of the extreme radical wing of the party and had not been enthusiastically supported by the more moderate section. Encouraged by their success in this instance, the radical element pressed for other measures which the ministers did not feel disposed to introduce, and the result was that a split in the party was unavoidable. The Radicals organized themselves in 1850 into a separate party to which the *Toronto Globe* gave the name of "Clear Grit Party." It is of interest to note that the term "Grit" is still the popular nickname for the Canadian Liberal. The platform of the "Clear Grits" as mapped out at this time embraced demands for manhood suffrage, biennial elections, and various other reforms which gave their agitation a general similarity to that of the Chartists in England. In Lower Canada the new party was

difficulty was experienced in having their measures favorably considered. The legislation of the session was important. Prominent among the government measures was an Act to incorporate the Grand Trunk Railway Company, the United Provinces guaranteeing a considerable proportion of the necessary bond issues. Hincks himself went to England, and there rendered valuable service in assisting the company to float the balance. The ministers were anxious that the line should traverse not alone the two provinces, but should extend down through New Brunswick and Nova Scotia. Local difficulties were, however, in the way, and this part of the project was abandoned for the time being. Another measure granted a substantial bonus to a trans-atlantic line of steamboats, while a further Act created a municipal loan fund out of which municipalities might, on very favorable terms, secure money for the construction of roads, bridges, and other public works. But many of the municipalities attacked this fund too ravenously, and the United Provinces too soon found themselves saddled with a heavy indebtedness which the municipalities had no immediate prospect of repaying. The works constructed were, for the most part, well worth the expenditure and contributed much to the development of the country. By these measures, however, the colonial debt mounted up into millions, but Canadian credit in London seemed good, for colonial "six per cents" sold at a good premium.

An important reform to which the Hincks-Morin ministry had pledged itself was the secularization of the Clergy Reserves. But there were good reasons for doubting if the colonial government had power to deal decisively with these lands, and action was postponed until the British authorities could be consulted on this point. In response an Act was passed, giving the Canadian authorities full power to settle the whole question. Still, the ministry was in no hurry to deal with the Reserves, for it seemed that it would lose some of its followers no matter what disposition it chose to make of the problem. So the matter

was delayed on one pretext or another, this procedure calling forth considerable criticism. The session was a long one, but before it closed a measure was passed increasing the number of representatives in the Assembly. The total membership was raised from eighty-four to one hundred and thirty, thus giving each province sixty-five instead of forty-two members. The object of the increase was to render constituencies more uniform, as well as to minimize the danger of corrupt influences securing control of a majority of the members.

Just before the session closed, an attempt was made to deal with the question of the seigniorial tenure in Lower Canada, and a Bill for the abolition of the system was passed by the Assembly; but the Legislative Council refused concurrence, and the matter was dropped for the time being. There seemed to be a widespread feeling in the country that the Legislative Council should be made elective, but to effect this would require that an amendment be made to the Act of Union. The readiness with which the British authorities had granted the colonial government full power to deal with questions in the past, however, encouraged the Assembly to hope that power would be granted to change the Legislative Council from an appointive to an elective basis, and before the session adjourned the Assembly agreed to despatch an address to London asking for this concession.

The interval between the sessions of 1853 and 1854 was marked by the negotiation of a reciprocity treaty with the United States. Lord Elgin had had such a project in mind ever since the date of his arrival in Canada, but had found difficulty in inducing the American authorities to take the matter into consideration. The project was not one to excite party feeling in the republic, and there was no telling what interests might be affected by its adoption. It was as likely to bring weakness as strength to any American administration which might support the plan. However, in the spring of 1854, Lord Elgin and Sir Francis Hincks

went to Washington to urge the matter. Both had spent the previous winter in England, where the question had been gone over by the home government and the cordial support of the latter obtained. Few Canadians hoped that the mission would be successful, and the speedy conclusion of a treaty during the summer of 1854 was a great surprise. It has been said that Elgin secured the support of the Southern representatives in the United States Senate by declaring that if reciprocity were not granted, Canada would, before long, seek admission to the Union as an anti-slave State. By the provisions of the treaty, mutual privileges were given the citizens of each country in the matter of coast fisheries. The St. Lawrence in so far as it ran wholly through Canadian territory, Lake Michigan and the Canadian canals were opened on equal terms to all British and American citizens. It was agreed that Canada should levy no taxes on Maine lumber passing down St. John River. But the most important provisions of the treaty were those which established free trade between the two countries in regard to an extensive list of commodities, chiefly raw products. Of these the most important were grain, flour, breadstuffs of all kinds, animals, meats, poultry, eggs, fish, lumber, hides, ores, hemp, and tobacco. The treaty was to remain in force for ten years, at the expiration of which period it might be terminated by either party on twelve months notice. In its results the reciprocity arrangement was of decided advantage to Canada. Within a year the trade between the two countries had more than doubled, and before the treaty was finally abrogated in 1866, it had increased sixfold. The treaty had been arranged at a very opportune time, for the price of grain was already going up owing to the Crimean War. Between the war and the treaty, agricultural Canada found ample grounds for prosperity.

Elgin and Hincks returned from Washington in time to convene Parliament just a single day within the limit fixed by law. The Parliament House at Quebec had been accidentally burned since the last session and temporary quarters

had to be found elsewhere in the city. As this session was to be the last one of the existing Parliament, the Hincks Ministry declared itself unwilling to take the responsibility of settling the two great internal questions still occupying the public mind, namely, the secularization of the Clergy Reserves and the abolition of the seigniorial tenure. In taking this stand the ministry found itself forsaken by many of its erstwhile firm supporters. Within a week after the session opened an amendment to the address in reply to the speech from the throne, censuring the ministers for their dilatoriness, secured the support of the malcontent Liberals with the result that the ministers found themselves without the confidence of the majority in the Assembly. Hincks advised a dissolution, and to this Lord Elgin agreed. The session, therefore, ended without a single measure having been passed, or the supplies having been voted. During the election campaign the ministers pledged themselves to proceed at once to the settlement of the two questions, in the event of their being returned to power, but they had apparently lost the confidence of the electorate, for the general result of the contest was unfavorable to them. The Hincks-

the reserved lands should be sold and the proceeds apportioned among the different municipalities in proportion to their population, to be used for educational and other municipal purposes. But all incumbents who had drawn their stipends from the reserve funds before 1853, were to have such payments continued to them for life. These might, however, commute their annuities for a lump sum. The measure was bitterly opposed by the friends of the Church of England, but to no purpose, for it had the cordial support of the large majority of the Protestant population. For this final denial of its long-standing claims, the Anglican Church had to thank its over-zealous leaders—men like Bishop Strachan—whose extravagant and overweening assumptions, together with their undignified intrigue in political matters had united the whole non-Anglican population against them. In the light of results, the Church of England in Canada must honor Strachan more for his indomitable energy and for his unwavering loyalty to what he believed to be her interests than for the outcome of his statesmanship. Yet, with all his faults, there are few who hold a worthier place among the makers of Canadian history.

The other question, that of the seigniorial tenure, was not so easily solved. Several years previously, legislation had been secured permitting the seigniors to commute their annual payments to the crown into a lump sum and to make like arrangements with their *censitaires*. But these Acts were permissive only, and did not make commutation compulsory. The result was that very few commutations were arranged. The general opinion was that the seigniorial system was entirely unsuitable to existing conditions of agriculture, and that the best interests of the province demanded its abolition. And since the *censitaires* were, as a class, very poor, it seemed certain that part, at least, of the expense would have to be borne by the public treasury.

The measure now introduced and known as the Seigniorial Tenures Abolition Bill proposed to make compulsory the commutation of feudal tenure into tenure in free and

common socage; the cost to be borne partly by the provinces and partly by the *censitaires* through the imposition of a fixed rental upon their lands. To settle the much-mooted question as to what rights were entitled to be considered grounds for indemnity, a special court composed of all the judges of the two higher courts in Lower Canada was constituted, and its report was made the basis in estimating the claims of seigniors to compensation. The reports of this tribunal form one of the best sources for the study of all matters connected with the land tenure system of French Canada. The Bill passed the Canadian Parliament successfully and the work of commutation was completed within a few years, the cost to the provinces being considerably over three millions of dollars. The measure accomplished much for agriculture in the province.

These two great questions having been disposed of, the session soon came to an end, but it takes its place in the annals of colonial parliamentary government as having cleared away the last relics of the factional bitterness of earlier days. Lord Elgin's term as governor expired about the same time (1854), and his lordship took his departure

departure from a policy of political *laissez-faire* on the part of their chief executive. His clear and logical grasp of the principle of ministerial responsibility entitles him to rank with Durham and Sydenham as the fathers of colonial self-government.

The new governor-general was Sir Edmund Head, who had already seen some colonial service as governor of New Brunswick. The coalition ministry still maintained itself in power, showing a revival in strength which was due not a little to the skill in party management shown by Mr. John Alexander Macdonald, who now held the post of attorney-general. This young member for Kingston was gradually forging his way to the front, and was destined within a few years to become prime minister. In 1856, it was decided that as seats in the Legislative Council became vacant through the death or retirement of occupants, new members should be elected by the people for an eight-year term. But vacancies occurred slowly, and long before the Upper House had acquired a completely elective basis, the whole political system had been changed by confederation. Ever since the Union the practice had been to require, on any measure which affected either province in particular, a majority of the members from that province as well as a majority of the whole Assembly. But when Macdonald acceded to the post of prime minister in 1857, he found that his strength lay chiefly in Lower Canada, and that among the members from the Upper Province he could not be sure of a working majority. Hence, he abandoned the principle of the "double majority," as it was called. For this he was much criticised by his opponents, for, while the practice had no statutory basis, it had come to be recognized as a convention of the constitution.

One perplexing question which gave the ministry no end of difficulty was the choice of a colonial capital. Since the destruction of the Parliament building at Montreal the legislature had been meeting alternately at Quebec and Toronto, but this ambulatory system had served to quiet

provincial jealousies only at great expense and with much inconvenience to all concerned. At the same time neither province was as yet willing to agree on a permanent capital in the territory of the other. A happy solution was found by referring the matter to Queen Victoria, and, in 1858, her majesty designated the rising little borough of Bytown, at the junction of Rideau and Ottawa Rivers, as the most suitable centre. The main consideration influencing this selection was the geographical position of Bytown on the boundary between the two provinces. The people of Montreal were especially chagrined at the outcome, accepting their logical punishment for past misconduct with ill-concealed chagrin. A number of members from both provinces joined the opposition in supporting a motion which expressed regret at the choice. The ministry accepted the adoption of this motion as a censure, and forthwith resigned. Governor Head, in accordance with established parliamentary usage in Great Britain, at once called upon Mr. George Brown, the leader of the opposition in the Assembly, to assume the task of forming a new ministry, and Brown assumed the duty with such alacrity that

passed in 1857. This statute provided in general terms that a minister who resigned from the cabinet and within a month accepted *any other* office should *not* be compelled to seek re-election. As it was quite possible that some of his colleagues would fail to secure re-election, Macdonald consented to shelter himself within the provisions of this statute by having his ministers take up other portfolios than the ones they had resigned only a few days previously. Thus, while the general composition of the ministry remained unchanged, the acceptance by each minister of another office than that which he had previously held, served to effect compliance with the letter of the statute. This done, it was easy to further shuffle each minister back to his old portfolio within the next few weeks. Obviously enough the intention of the statute had been to facilitate casual changes in office, and the framers had certainly never intended that it should be utilized to excuse a whole ministry from conformity to plain constitutional usage. However, the courts held that there had been no violation of any law, and as the restored ministry commanded a majority both in the Legislative Council and in the Assembly, the ruse was completely successful. But there were many influential men in both provinces who expressed in no uncertain terms their disapproval of the "moral turpitude" involved in this "double-shuffle," as the procedure was popularly called. The episode was made a reproach to Macdonald throughout the remainder of his lengthy political career, although, as a matter of fact, he had given only a reluctant consent to the procedure.

It was at this time (1859) that Canada first committed herself to the policy of protection, for in 1858 the general level of duties was raised from ten to fifteen per cent, while a rate of from twenty to twenty-five per cent was placed on certain enumerated commodities, the production of which it was thought wise to encourage at home. In the following year the general average went up to twenty per cent, while the category of specially enumerated articles was considerably

extended. Macdonald was a strong protectionist and the inauguration of the policy was mainly his personal work.

In the following year, 1860, Canada was favored with a visit from her present sovereign, Edward VII., at that time a manly youth of nineteen. All parties united in making his welcome a most hearty one, and the unstinted ovations tendered the prince gave little room for doubt as to the loyalty and good will of the colony toward the motherland. From end to end of the United Provinces country and town vied in cordiality of welcome. A short visit to the United States where the Prince of Wales was greeted with the characteristic courtesy of a generous people, gave hope that a cordial *rapprochement* of the two great Anglo-Saxon States was at hand; a hope which, unfortunately, was soon to prove unfounded; for the republic was now nearing an interneccine conflict which was to shake the Union to its foundations. And many Britons, both at home and in the colonies, while they may have differed as to the merits of the questions at issue between the North and the South, left little doubt as to their strong "Southern sympathy." Strong enough as this was at the outset of the American Civil War, it was soon intensified by the tension which the Trent affair produced.

Toward the end of 1861, Sir Edmund Head gave up his post. Without having displayed any rare qualities of statesmanship, he had, in the general mind, made a good impression. His successor, already on the ground, was Lord Monck. The Trent affair had turned the attention of the colonial authorities to the weakness of Canadian military organization, and steps were at once taken to improve it, especially since the American conflict had given militarism in Canada a considerable impetus. The Militia Bill, as presented in the session of 1862, was one of very wide scope, and had it been adopted the colony would have been provided with a large and well-organized force. But militarism, as European States have learned, necessitates large expenditures, and in Lower Canada especially, there was a

strong feeling that the Bill contemplated a greater outlay than the colony could well afford. Furthermore, there were many objections to details of the measure, and the ministry was not able to meet many of these satisfactorily. Since the last elections it had lost considerable strength, especially owing to gross mismanagement in connection with the erection of the new Parliament buildings at Bytown, or Ottawa, as it had now come to be called. Nine hundred thousand dollars had been appropriated to cover the cost, but this sum was now exhausted, and still the stately pile of structures was not half completed. The Militia Bill was defeated in the Assembly, and the Macdonald ministry resigned, to be succeeded by an administration headed by Messrs. John Sandfield McDonald and L. V. Sicotte. The new ministers promised much; the restoration of the "double-majority" principle, an amended Militia Bill, an increase in the duties, and so on, but it found much difficulty in securing a working majority for any of its proposals, and in the course of 1863 it was compelled to resort to an appeal to the constituencies in order to strengthen itself. But the even balance of party strength was not appreciably disturbed. Englishmen were chagrined to find that the colony was so loth to shoulder the burden of its own defence, and Lord Palmerston made no secret of his disappointment. In the end, an amended Militia Bill was passed, but it satisfied neither party.

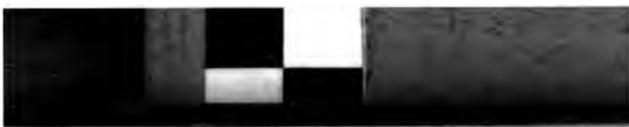
The general hostility of Canadians toward the Northern States during their hour of trial, together with the prevalent feeling that Canada was profiting more than the United States by the continuance in force of the reciprocity arrangements of 1854, led the Washington authorities to give notice that the treaty would be abrogated. This announcement, as well as the feeling that relations between the reconstructed republic and Great Britain were becoming dangerously strained, created a widespread depression in the United Provinces. A strong administration was desired by everyone, yet neither faction seemed to be capable

of providing it. The Sandfield McDonald-Sicotte ministry had been slightly reorganized by the retirement of Sicotte and the entrance of Dorion, but this and less important changes gave it little additional strength. By the spring of 1864, political affairs were hopelessly complicated. The ministry found itself unable to carry its measures through the Assembly, while, on its resignation, J. A. Macdonald and his friends could not form any combination which might even hope for a majority. By midsummer affairs were at an utter deadlock. Public business was at a standstill, ministerial changes, coalitions, and dissolutions had been tried in vain; the Union Act had apparently been put to its test and found wanting. Another dissolution might have been tried, but the country was heartily tired of continual elections brought on by factional strife; and neither party desired the turmoils and expense of another contest. It was at this point, when constitutional government seemed unequal to the strain put upon it, that what proved to be an extremely happy solution of the whole difficulty was proposed. Hon. George Brown, the influential leader of Upper Canada Liberalism, now came forward and agreed

The feeling in favor of confederation had for years been steadily growing in the Canadas, while in the Maritime Provinces the idea of a separate union was gaining ground. Already arrangements had been made by them for the holding of a convention at Charlottetown, Prince Edward Island, in order that the matter might be discussed. Here was the opportunity for the coalition government, and the moment was not allowed to pass. The Maritime Provinces might be induced to merge their scheme in the more ambitious project of a general federation of all the provinces. Accordingly a deputation was sent down to Charlottetown, where it was arranged that a general conference of delegates from all five provinces and from Newfoundland should be held at Quebec during the following month for the purpose of considering the whole scheme of confederation. Meanwhile, those who had the project most at heart, devoted themselves vigorously to the task of moulding public opinion in its favor. The Quebec conference was duly held in September and after three weeks of cautious, yet on the whole, harmonious deliberations, a tentative basis of union was agreed upon and embodied in a series of resolutions. These were to be sent to the various legislatures for their approval; in the meantime a strong delegation went to England to commend the scheme to the British authorities. But many difficulties were yet to be encountered. The Parliament of the United Provinces approved the project after a prolonged debate, but Newfoundland and Prince Edward Island voted against it, while in New Brunswick and Nova Scotia the defeat of the proposal seemed certain. The delegation sent to England found the British government favorably disposed toward confederation, but very firmly determined not to coerce any unwilling province into acceptance. Fortunately, those who had the matter in charge were not overcome with discouragement, and it happened that the events of 1866 distinctly strengthened their hands.

Amidst the political excitement of the year, the provinces were called upon to face a new danger from without their

borders. The Civil War in the United States was now at an end and large bodies of Southern sympathizers found refuge in the Canadas. As early as 1864, they had been coming over in considerable numbers, and had settled, for the most part, in Lower Canada. Before long they began to use Canadian territory as a base of operations against the borders of Vermont and several incursions across the line were made. Of these the most important was the raid which a number of Confederate soldiers, under the notorious Bennett H. Young, undertook across to St. Albans, Vermont, where they plundered the local banks and escaped back to Lower Canada. The extradition of these raiders was at once demanded by the Washington authorities, but the Canadian courts, after a series of hearings, decided that since the party had acted under instructions of the Confederate government they had the status of recognized belligerents and were not amenable to extradition. This stand, however, placed upon the Canadas the onus of having permitted their territory to be used as a base of operations against a friendly State. The episode greatly angered the Washington government and a delegation sent by Canada to ask for the renewal of the Reciprocity Treaty received an abrupt refusal. The sending of this mission was strongly opposed by Brown, who resigned from the government to mark his displeasure at the action of his colleagues. But many in the Northern States were prepared to show their antagonism to Canada in ways more violent than the refusal of commercial amity. The ranks of the Federals during the war had included a large number of Irish-Americans and these were loth to beat their swords into pruning hooks now that the conflict was over. For some time the chief Irish organization in the United States—The Fenian Brotherhood—had been maturing a project for the liberation of Ireland by an attack on British interests in America, and it now found willing agents among the disbanded Irish Federals. After the usual prelude of threats, a band of about nine hundred Fenians crossed the frontier near



Sir John Young, Baron Lisgar.
Governor-general of Canada, 1869-1872.
Governor-general of Canada, 1888-1893.



Sir Charles Stanley Monck.
Governor-general of British North
America, 1861-1869.



Frederick Arthur, Lord Stanley.
Governor-general of Canada, 1888-1893.

Niagara and began their march inland. Without delay the Canadian authorities hurried a force of militia to the Niagara district, and, after a sharp encounter near the village of Ridgeway, forced the Fenians back across the river where they were taken in charge by the American police and militia for violation of the neutrality laws. A couple of less pretentious raids were made into Lower Canada about the same time and with the same results. The whole affair was miserably planned and as miserably executed. But it served to show the provinces that their military weakness invited attack and many now came to look upon confederation as a means of greatly augmenting military strength.

While this was going on, Nova Scotia and New Brunswick had, after a sharp political contest, declared for confederation, and, although Prince Edward Island and Newfoundland still held aloof, it was felt that the four provinces would form a sufficient nucleus. Accordingly, delegates from all four were sent to England in the autumn of 1866, and in a conference with the British ministers, the details of the scheme were elaborated. Concessions had to be made on all sides and that the diverse interests were so successfully harmonized was due mainly to the towering personality and tact of Mr. Macdonald. The agreements of the conference were then embodied in a Bill which, as the British North America Act, passed Parliament and received the royal assent during March, 1867. This Act provided for the confederation of the four provinces, which were henceforth to be known as Ontario, Quebec, Nova Scotia, and New Brunswick, into the Dominion of Canada, with its capital at Ottawa. The federal executive power was to be vested in the hands of a governor-general appointed by the crown, this official to be assisted by a Privy Council as in Britain. The legislative power was committed to a Parliament consisting of a Senate and a House of Commons; the governor-general having the responsibility of assenting to all legislation. The Senate was to be composed of seventy-two members, appointed by the crown for life, twenty-four each

for Ontario and Quebec, and twelve each for the Maritime Provinces. Arrangements were made for such readjustment in senatorial representation as might be made necessary by the admission of other provinces, but the total number of senators was not to exceed seventy-eight. As for the House of Commons, the Quebec representation was permanently fixed at sixty-five members, while the other provinces were to be represented according to their relative population on this basis. Members were to be elected from territorial constituencies delimited by federal law. The duration of Parliament was not to exceed five years, while no twelve months were to be allowed to lapse without a session.

Each of the four provinces, again, was to have its local administration, consisting of a lieutenant-governor, appointed by the crown on the recommendation of the governor-general and a legislature which was to consist of two Houses except in the Province of Ontario where a single elective Assembly was deemed sufficient. The respective powers of the federal and provincial authorities were defined by the Act. In general, all matters affecting the Dominion as a whole were made matters of federal jurisdiction, while purely local affairs were given over to the provincial governments. But powers not expressly granted to the provinces were to be deemed federal powers. Finally, provision was made for the admission of other provinces whenever these should desire to be admitted.

By royal proclamation the Act went into force on July 1, 1867. On that day, Lord Monck issued a proclamation announcing his appointment as governor-general, and at once called upon Hon. J. A. Macdonald to form the first Dominion Ministry. The new prime minister of Canada was at once made a knight, while minor marks of royal favor were liberally distributed among others who had assisted him in bringing the confederation project to a successful consummation. Amid considerable enthusiasm the new Dominion began its history.

CHAPTER XVIII

THE DOMINION SINCE CONFEDERATION

THE birth of the new Dominion on July 1, 1867, was followed in the autumn by the first Dominion election. In Ontario, George Brown rallied a strong opposition to the coalition government through the agency of which the project of confederation had become an established fact. A monster reform convention summoned at Toronto followed his lead and condemned the policy of those reformers who still remained in the ministry. In Nova Scotia, Joseph Howe, the greatest orator and most magnetic leader of his day, bent his energies to the creation of hostility to the new régime in his province. The new government was thus early put upon its mettle. But in Ontario, despite the efforts of Brown and his friends, together with his powerful organ, the *Toronto Globe*, the general disposition to give the confederation a fair trial secured to the new government a solid majority. In Quebec and New Brunswick the result was similar; Nova Scotia, however, sent as its first delegation to Ottawa a solid phalanx of eighteen opposition members out of a total representation of nineteen. Dr. (later Sir Charles) Tupper was the only supporter of the government from the Acadian peninsula. But the government was secure, for it could command at least three-fourths of all the members returned. When the House met on November 7th, Lord Monck, in the speech from the throne, outlined the measures with which the first All-Canadian

Legislature was to be asked to consider. The currency, customs, excise and other laws were to be made uniform; a general postal service was to be arranged; uniformity secured in criminal law; general legislation regarding patents and bankruptcy prepared, and provision made for a Canadian militia. These with other measures made up a rather formidable catalogue of legislative projects; but a perhaps more difficult task was that of carrying into effect the proposal for an intercolonial railway to connect the Maritime with the Upper Provinces. Naturally enough, the whole ambitious legislative programme was not completed in one short session, and Parliament adjourned about Christmastide (1867) to meet again in April. During the interval, the malcontents in Nova Scotia, headed by the irrepressible Howe, began to clamor against the Union with redoubled vigor. Mass meetings of citizens showed unmistakably the spirit of opposition to the new order, and, swayed by the general feeling, the Nova Scotia Legislature passed an address to the British authorities praying for the release of that province from the Union. To present this address, Howe and three others were sent over to London, but the Ottawa authorities forthwith met this move by promptly despatching Dr. Tupper to refute their representations, which he did with marked success. The Duke of Buckingham, then colonial secretary, stood firm for the maintenance of the Union, and the dispirited Acadians returned without having accomplished anything. When Parliament resumed its session in April, 1868, the members set themselves vigorously to work on the huge mass of legislation still before them, but the rest of the session was overshadowed by universal sorrow for the tragic murder on April 7th of one of the brightest and rarest men who ever graced a Canadian legislature—Thomas D'Arcy McGee. A rampant anti-Britisher in his earlier days in Ireland, he had become in Canada a most ardent supporter of British supremacy. A gifted poet, a rare orator, a man of magnetic and inspiring personality, his untimely assassination by a Fenian cast a gloom over

the infant legislature which the lapse of months scarce sufficed to clear away. When the session ended, Sir John Macdonald, with his customary diplomacy, undertook the task of conciliating the opposition in Nova Scotia. This he so successfully accomplished that Joseph Howe, now convinced that secession was out of the question, accepted his friendly overtures and became a valuable member of the Dominion ministry, in which he remained until 1873, when he accepted the position of lieutenant-governor of Nova Scotia. His desertion of the malcontents broke the strength of the secession agitation, but many of his friends never forgave his change of front.

Lord Monck's term of office had been extended in order that he might see the new confederation safely on its way, but the end of the year 1868 brought his extended term to a close. By his uniform courtesy, strict impartiality, and sympathetic attitude he had done much to facilitate the great event of his régime, and he now left Canada with the best wishes of the people. His successor was Sir John Young, an Irish baronet, who was afterward elevated to the peerage as Baron Lisgar. The first few months of his governorship, which lasted from December 29, 1868, to June 22, 1872, were marked by the conclusion of the "better terms" arrangements with Nova Scotia, involving among other things an additional subsidy to that province in return for its quiet acceptance of the Union. Likewise, negotiations were opened for the purchase by the Dominion authorities of the vast tracts of northwestern territory still belonging to the Hudson's Bay Company.

Before explaining these negotiations, and in order to appreciate the political and commercial importance of the acquisition of the company's possessions, it is necessary to review briefly the great trading company's possessory rights and rule. As early as 1670, certain English traders had received from Charles II. a charter of incorporation as "The Governor and Company of Merchants Adventurers of England trading into Hudson's Bay." By the terms

of this charter the new organization was given not alone full and exclusive trading rights, but actual proprietorship in all the regions watered by the rivers flowing into Hudson Bay and adjoining waters. During the next forty-three years the new company vigorously exploited the fur trade of the regions adjoining the bay, expending in the erection of posts and "factories" a sum estimated at upward of two hundred thousand pounds sterling. On two occasions during this period, French naval expeditions destroyed many of the posts, and the company found itself unable to induce the British authorities to insist upon adequate redress. France had not overtly recognized the British claim to the Hudson Bay region, for, curiously enough, neither the Treaty of Saint-Germain-en-Laye nor the Treaty of Ryswick had made mention of the region at all. It was not until the signing of the Treaty of Utrecht that the British claims in the north were expressly conceded.

During the next half-century the company extended its operations with vigor, but did not push its posts far from the immediate shores of the bay. Among the various enterprises undertaken, not the least important were the journeys of Samuel Hearne for the discovery of copper mines and a northwest passage. These voyages were made in 1769-1772, and resulted in explorations along the shores of the bay to Coronation Gulf and of much of the territory lying between Athabasca Lake and the bay. In the meantime, French traders from Canada found their way along Assiniboine, Saskatchewan, and Red Rivers. While the Hudson's Bay Company officials were fully aware of this intrusion, the company made no endeavor to expel the interlopers, nor, as far as can be ascertained, to protest against their presence. But when the Treaty of Paris secured the whole of Canada to Great Britain, the company promptly extended its claims over the whole of the northwestern region from the bay to the Rocky Mountains. In its endeavor to secure a monopoly of the whole fur trade of the northwest, however, the Hudson's Bay Company soon encountered

opposition from a new quarter. Before long a number of Scotch traders began to make their way to the Red River regions, and in 1783 several of these organized the North West Company, with headquarters at Fort William, on Lake Superior. From this point the new company spread its posts out into the valleys of the great rivers flowing toward Hudson Bay, displaying a degree of enterprise which greatly alarmed the authorities of the older company. The traders of the respective companies developed a mutual bitterness and frequently came to blows. It was in an endeavor to put an end to armed collisions between rival bodies of traders and boatmen that the British authorities undertook, in 1821, to mediate between the two organizations. The result was that the two companies were amalgamated, and the North West Company came to an end as a separate organization. Naturally enough, this cessation of disastrous rivalry greatly increased the profits of the northwestern fur trade, and the Hudson's Bay Company entered on an era of unprecedented prosperity. As settlers began to flock into the Red River district, this region was given a form of government, consisting of a governor appointed by the company, and a council chosen from among the more prominent inhabitants of the district. The headquarters were fixed at Fort Garry, near the junction of Red and Assiniboine Rivers. The remaining districts, however, continued to be ruled by the trading officials of the company. It was in this state that matters remained down to the time when negotiations for the acquisition of the company's territories by the Canadian authorities were begun.

Both the Dominion government and the company claimed jurisdiction over the Red River Valley,—now the Province of Manitoba,—and as the respective claims seemed improbable of reconciliation, the colonial secretary, Lord Granville, undertook to arrange a basis of settlement. For a large monetary consideration the company parted with its claims, and the great northwestern tracts passed, in April, 1869, into the proprietorship of the Canadian people. In the ensuing

session, provision was made that the newly acquired domains should be designated as the Northwest Territories, to be administered for the present by a lieutenant-governor and Council nominated by the crown. Hon. William McDougall became the first executive head of the new political unit. While both the purchase and the administrative arrangements met with the general approval of both parties in the Parliament of Canada, there was abundant evidence of discontent among the sparse population now settled in the Red River Valley at this summary way in which the territory in which they lived had been transferred and administrative arrangements made without even a consultation of their wishes. Most of these settlers were half-breeds or Metis who had squatted upon their lands without legal title either from the crown or company, but the sprinkling of Britons among them were little less vehement in their opposition. And what gave this antagonism force was the fact that the Red River settlers in their demand for a popular government instead of an appointed Council, had the moral support of a large number of compatriots residing in Quebec.

protests of many English-speaking inhabitants the provisional government was confirmed with some enthusiasm. Feeling secure in their positions, Riel and his associates proceeded to seize several of the inhabitants who had not shown sufficient sympathy with the provisional government, incarcerating them as political prisoners in Fort Garry. The difficulty with which the Dominion authorities found themselves confronted arose from the fact that the transfer of the territory was to have taken place from the company through the crown.

The final transfer to the Canadian authorities had not yet taken place. Nor did the latter favor the acquisition of a territory which would have to be subdued before possession of it could be taken. Rather than adopt the illogical course of enforcing McDougall's authority over a territory which it did not as yet legally possess, the Canadian government decided for the time being to allow the governor-designate to return to Ottawa, pending an effort to settle the troubles by means of a commission. During the summer a commission of three members went westward, but accomplished next to nothing. Still anxious to reach an amicable settlement, the authorities next invoked the assistance of Archbishop Taché, who was the spiritual supervisor of the Roman Catholic population in the Red River District. Taché was in Rome at the time, but an urgent appeal brought him in haste to Ottawa, where he was empowered to offer the malcontents a full amnesty in return for a peaceable submission. But before Taché reached Fort Garry, Riel had been advanced to the post of president of the provisional government. And his ignorant vindictiveness had speedily led him to put his authority beyond the bounds of compromise in executing Thomas Scott, an ardent loyalist, for no more serious offence than his outspoken criticism of the provisional administration. This act of tyrannical folly sent a thrill of indignation throughout the Eastern provinces, although among the French people of Quebec there was an unmistakable disposition to palliate the offence. No

amnesty which might condone this brutal outrage could now be considered by the Ottawa authorities, even if, in fact, the Ottawa authorities had any right to promise immunity for offences committed in territory over which as yet they had, strictly speaking, no jurisdiction. The murder of Scott decided in advance the failure of Taché's mission. In Great Britain, likewise, colonial indignation had its echo, and the news that the home government had determined to despatch an armed force to the Red River to restore order was warmly welcomed in the English-speaking provinces of Canada. In the summer of 1870, a force of over a thousand men, composed largely of Canadian volunteers, under the command of Lieutenant-colonel (later Viscount) Wolseley, made its way westward. In August, Fort Garry was reached, but the Provisional authorities had hastened their departure across the frontier, and the authority of the crown was established without difficulty. In the meantime, the formal transfer of the territory to the Canadian authorities had been completed and an act passed incorporating the Red River District into the Province of Manitoba. This Act likewise provided for the establishment of civil administration

Britain and the United States of what came to be known as the Treaty of Washington. What concerned Canada was its provision for the settlement of some vexatious questions of long standing such as the international boundary, the granting to citizens of the United States the right of navigation of the Canadian canals and St. Lawrence River, in return for which the United States threw open Lake Michigan to the British mercantile marine. What displeased Canadians, however, was the fact while the treaty contained provision for a reference to arbitration of the Alabama Claims, no provision was made for the consideration of claims put forward by Canada for damages suffered because of alleged American laxity in connection with the Fenian troubles. To show its displeasure the Canadian Parliament, in 1871, passed a resolution condemning the treaty in no uncertain terms.

In the same year the confederation received a new member in the admission of the Province of British Columbia, now a rising colony of sixty thousand inhabitants. Prince Edward Island, with its population of ninety-four thousand, was received in 1873. Although the slopes west of the Rockies had been visited at various times by mariners both Spanish and English at frequent intervals during the two and one-half centuries which had intervened since Sir Francis Drake, in his voyage around the world, first caught sight of its mountain-guarded shore, no attempt was ever made to do more than to establish a few lonely trading posts on Vancouver Island. The real history of the Canadian Pacific slope did not begin until 1849, when the Hudson's Bay Company extended its trading operations to the extreme west and made Victoria, on Vancouver Island, its most westerly headquarters. Little, however, was accomplished in the way of settlement until, in 1856, discoveries of gold were made along Fraser and Thompson Rivers. Immediately there was a great influx of fortune seekers, particularly from California, where the gold fever of the preceding years had begun to abate. With this influx came the necessity

of establishing some definite form of civil government, and in 1858 Vancouver Island and the mainland were constituted separate territories, each provided with an administration of its own. But matters did not run smoothly in the island district, part of the population desiring annexation to the United States, while the other part, perhaps the majority, favored union with the mainland for purposes of civil administration. In the end, the latter had their way, and in 1866 the two districts united to become the Province of British Columbia, with Victoria as the provincial capital. From this time on, it began to be felt that what the province most needed was railway communication with the provinces in the east. Consequently, in 1871, a delegation was sent to Ottawa empowered to propose that British Columbia would enter confederation on condition that transcontinental communication should be promised the province by the Dominion authorities as a reward therefor. The ministry was, at the outset, rather loath to pledge Parliament to a condition seemingly so difficult of fulfilment, but in the end the bargain was made. A transcontinental line was to be begun within two and completed within ten years.

to favor the Canadian Pacific Company rather than the Inter-Oceanic, but did not venture to award it the contract in its semi-American form. It was arranged that Allan should organize a new company on a purely Canadian basis, upon which the contract was to be awarded him on very liberal terms. These arrangements were carried on through the medium of Sir George Cartier, a member of the government, and as a general election was soon to occur, Allan was induced to promise secretly a generous contribution to the campaign fund as a *quid pro quo*. Early in the year 1873 the new company received its charter for the construction of the Canadian Pacific Railway. The Dominion government pledged assistance to the extent of thirty million dollars, and fifty million acres of land along the route. The awarding of the contract, on what were deemed to be highly favorable terms, was regarded by the rival company with much jealousy. Vague rumors began to be circulated that Allan had not received this favor without some improper consideration being given in return, but such accusations took no tangible form till Parliament assembled in the following April. It was then that the Houses were astounded by the charges made from the floor of the Lower Chamber by L. S. Huntingdon, of Montreal, which took their place in history as the "Pacific Scandal." Through some sinister means—never fully divulged—Huntingdon and other members of the opposition had become possessed of telegrams and documents which has passed between members of the government and the agents of Sir Hugh Allan and which proved beyond question the liberal contributions of the latter to the election funds of the ministers. Sir J. A. Macdonald at once moved the appointment of a parliamentary commission to investigate the charges, and shortly afterward Parliament passed a special Act empowering the committee to take evidence under oath. But this latter Act the British government disallowed, and this fact, together with the absence in England of both Cartier and Allan, seriously delayed the whole investigation.

To expedite matters, Macdonald offered to issue a royal commission to the members of the Committee, which would give them full power in the matter of sworn testimony, but to this the opposition demurred. Charges and counter-charges of bad faith were hurled from both sides and the whole country worked itself up to a high pitch of political excitement. It was at this point that the Earl of Dufferin, who had taken the post of governor-general on the resignation of Lisgar in the course of the preceding year (1872), determined to step in, and, with the concurrence of the ministers, refer the charges to a royal commission of three judges, Day, Polette, and Gowan. Parliament was prorogued to await its report—an action furiously resented by the opposition. During the autumn of 1873, the commission pursued its enquiry with vigor and impartiality. While no explicit, improper contract between Allan and the ministers could be proved, the evidence established beyond a doubt that the former had contributed heavily to a campaign fund of the Conservative party in general, and to those of Cartier and Macdonald in particular. The latter alone frankly admitted the receipt of over forty thou-

the latter accordingly did, the elections coming off in the following January. As was fully expected the new administration was returned with an overwhelming majority—having nearly one hundred and fifty supporters in a House of little over two hundred members. But the new administration soon encountered difficulties; one of the most important was the question of constructing the transcontinental railway. British Columbia clamored for the fulfilment of the pledge given upon its entry into the Union, and even went so far as to threaten secession. But the Mackenzie administration delayed on the ground that the preliminary surveys had not yet been completed and likewise vacillated between the projects of an all-rail route and one which would make use of the Great Lakes and other waterways between east and west.

The administration sought to appease the people of British Columbia by a proposition to build that section of the road which was to traverse the province from Esquimalt to Nanaimo, but this proposal, while accepted in the Commons, was defeated by the Conservative majority in the Senate. Then an alternative proposition to pay the Province three-quarters of a million dollars in lieu of construction was promptly rejected by the authorities of British Columbia in 1876. These difficulties, together with the general commercial depression which resulted in annual deficits, greatly weakened the administration, as was shown by the fact that successive legislative bye-elections resulted in the return of opposition members. Moreover, the Conservatives had made the adoption of a protective tariff one of the important planks in their political platform, and had thereby rallied to itself the industrial interests of the country. Although the Mackenzie administration had not so far been barren of considerable beneficent legislation, its vacillating policy and the want of absolute harmony among its own supporters had combined with the general hard times to set the tide of popular feeling strongly against it. Macdonald used this advantage to the utmost, and the popular “political

picnics" became a new feature of Canadian campaigning. Early in 1878, moreover, the ministry was weakened by the resignation of the Hon. Edward Blake, one of its ablest members, on the ostensible plea of ill health. But as his duties as a minister had not been arduous it was plain that this was not the real reason, and, as Mr. Blake refused to divulge the latter, the general opinion that he was deserting the sinking ship weighed decidedly against the ministry. The budget of 1878 showed a formidable deficit, while to make matters worse, news arrived that the Legislature of British Columbia had passed a resolution asking the British authorities for a release from the Union unless the pledges given on its entry were at once fulfilled. In the midst of these new discouragements and difficulties the legal term of Parliament expired and a general election took place. For the first time the secret ballot was used, and there was much speculation as to its probable influence upon the ultimate result. Apparently the Pacific Scandals, if not wholly forgotten, were at least excused, for the Mackenzie ministry received such an overwhelming defeat that it resigned before facing the House. Macdonald was once





Alf. John George Edward Douglas Sutherland,
Marquis of Lorne. Governor-general of Canada, 1878-1883.
1872-1878.

The first question with which the new administration had to deal was the case of Letellier de St. Just, who had been appointed to the lieutenant-governorship of Quebec by the Mackenzie administration. During the course of 1878 he had fallen into disagreement with his provincial Cabinet over the matter of certain retroactive laws, and, although his advisers had the thorough support of the legislature, he used the opportunity to dismiss the ministers and to call upon the Hon. Henri Joly de Lotbinière to form a new administration. As the new ministry experienced a direct rebuff from the legislature in the form of a resolution condemning the action of St. Just, the lieutenant-governor prorogued the session and thus allowed the administration to hold office until the advent of the elections some little time later. The matter was brought up in the Dominion House, but Mackenzie supported the action and a motion in criticism of it emanating from the opposition was defeated on a strictly partisan vote. The Senate, however, adopted a similar resolution. The justification of the lieutenant-governor could rest only in the return, at the Quebec elections, of a substantial majority in favor of his new advisers, and this the results failed to show. Matters were, therefore, at a deadlock when the Macdonald administration re-established itself in power. The new administration called upon the House to condemn the action of the Quebec lieutenant-governor, which it did in no uncertain tones; the motion passing by a vote of one hundred and thirty-one to fifty-one. The logical result was that the dismissal of St. Just was at once advised by the Cabinet and followed as a matter of course. The case established beyond question that under the Canadian system an executive official who disregards the advice of his constitutional ministers can justify his action only by a dissolution of the House and a successful appeal to the support of the people.

The next few years were comparatively uneventful. Work on the construction of the transcontinental railway proceeded rapidly, while under the fostering stimulus of the

National Policy, industry and commerce steadily revived. On all its measures the administration was able to command such an overwhelming majority that Mackenzie, discouraged at the prospects of the Liberals, gave up his leadership in 1880, to be succeeded by the Hon. Edward Blake. Honest beyond the shadow of a doubt and loyal to the principles of his party, Mackenzie yet lacked that vigor, stamina, and ability to control which the successful Parliamentary leader must command; so that his party had in time shown a want of discipline. Close and conscientious attention to his parliamentary duties had made serious inroads on Mackenzie's vigorous frame so that an ostensible excuse for his retirement was readily at hand. It would be useless to disguise the fact that a section of the opposition really forced the retirement.

During the summer of 1880, the government announced a change in its policy regarding the transcontinental railroad. Since the cancellation of the old contract by Mackenzie, and up to this point, the construction of the road had been carried on as a government enterprise; it was now decided to have it carried on by a private company. A new com-

lasted from December, 1878, to October, 1883, and was replaced by Lord Lansdowne, who held office from the latter date to May, 1888. For a year political affairs ran smoothly, and Sir John Macdonald took advantage of the lull to spend some time in England, where he was warmly welcomed and where he did much to bring to the forefront the name of the colony of which he was the first citizen. But while all was tranquil in the east a violent storm was rapidly gathering in the west. The main cause from which arose the troubles between the half-breeds of the Saskatchewan valley and the Dominion authorities was the old vexed question of land titles. The march of colonization had pushed both Indians and half-breeds from the valley of Red River into the fertile plains to the northwest of it; now it was trying to push them with relentless force still further westward. The half-breeds had no valid titles to the lands upon which they had settled, nor could they properly claim such; and many had exhausted the right to free lands, for they had already received grants in Manitoba which they had abandoned or sold. But despite this lack of legal claim, the Dominion authorities showed a disposition to deal generously with the squatters upon the completion of the surveys of the lands. But to the surveys the half-breeds offered very decided objections, and in their attitude toward the government surveyors they manifested an unconcealed spirit of hostility.

Meetings were held; violent resolutions agreed to; and finally, an invitation was despatched to the old Metis leader, Louis Riel, who was now a resident of Montana, asking him to return and once more champion the cause of the malcontents. Riel accepted without delay. Although warned that his return was an omen of trouble, the Ottawa authorities did nothing to prevent his crossing the border, and the summer of 1884 found him busied with the work of agitating opposition to the authorities. At a mass meeting of the half-breeds a Bill of Rights was drawn up demanding, among other things, the grant of legal titles to all

those in possession of lands, the setting aside of one hundred million acres of land for the support of schools, the grant of representation in Parliament, and the reservation of lands for the descendants of the Metis for a century to come. Throughout the autumn and winter of 1884 the agitation was continued, and by the spring of 1885 discontent had become a readiness to revolt. Rather late in the day the government took energetic measures to strengthen the garrisons of Northwest Mounted Police in the various parts of the disaffected territories. The Metis and Indians proclaimed a provisional government with Riel as president and Gabriel Dumont, a leading Metis, as his chief lieutenant. The latter lost no time in roughly organizing his forces and in seizing the government post at Duck Lake, not far from Prince Albert. Colonel Crozier, who had charge of the garrison at Fort Carleton, some little distance away, determined to oust Dumont from the post, and, in the latter part of March, started for Duck Lake with his force of about one hundred men. But Dumont had secured a strong position on the line of advance, and after a stiff fight Crozier was driven back with twelve killed and as

several of these reserves, notably Frog Lake Reserve, the Indians commenced their operations by a merciless massacre of these officials. For a time it seemed as if the pent-up savagery of thousands of hostile Indians would be turned loose upon the defenceless settlers of the territories; but on many reserves the chiefs and older men restrained their followers, and several of the larger tribes, notably the powerful Blackfeet, remained quiet. It was now evident that the authorities had allowed matters to drift too far, and the Ottawa ministry at last realized the extreme gravity of the situation. With the exception of two uncompleted gaps, the main line of the Canadian Pacific Railway had now been constructed to Qu'appelle, whence Batoche lay some two hundred and thirty-five miles overland; and by means of this road large bodies of volunteer militia were rapidly mobilized and transported westward during the early part of April. After a hard march a force of nearly a thousand men under General Middleton, an officer of the British army then commanding the Canadian militia, reached the neighborhood of Batoche. Some fifteen miles from that point, at the junction of Fish Creek with the Saskatchewan, Dumont had, with considerable skill, taken up a position to oppose Middleton's advance, and on April 24th the forces came into touch at this point. The militia made a couple of ineffectual attempts to dislodge the Metis, but without avail, incurring a very considerable loss in their own ranks. On the following day Middleton undertook what he should have undertaken at the outset,—the transportation of part of this force across the river in order to outflank the rebel position. When this had been done with considerable difficulty, Dumont took advantage of darkness to withdraw his men to Batoche. The unexpected check at Fish Creek seems to have disconcerted Middleton, for he delayed nearly two weeks awaiting supplies and perfecting his organization before the march forward to Batoche was resumed. It was May 9th before he found himself in front of the insurgent lines, which had been well defended by earthworks and rifle pits.

Dumont had at his disposal a force estimated at from four hundred to five hundred men, who were well armed, and, for the most part, skilful marksmen. A couple of days were spent in desultory sharpshooting with little advantage on either side. Middleton seemed utterly at a loss to proceed, for a siege would be a matter of weeks, and an assault would probably involve severe loss. On the 12th, however, while the main force feigned an attack on the front of the lines, a small force of about three hundred men went around the flank and charged the rifle pits. These were abandoned and the whole rebel force fled precipitately into the village, whence they were dislodged by a general advance of the militiamen. But the assault had not been accomplished without considerable loss; less, however, than might ordinarily have been expected. The capture of Batoche was the virtual end of the rising. Riel, while endeavoring to make good his escape across the border, was soon captured; Dumont was more successful and eluded his pursuers. Meanwhile, Colonel Otter, with a considerable force had succeeded in relieving Battleford, though not before he sustained a reverse in an expedition against Chief Poundmaker's reserve, at Cut Knife Creek, some distance from that post. This wily chief, as soon as the news from Batoche reached him, made haste to offer his submission. The third expedition, designed to regain possession of Fort Pitt and dislodge the Indians under Big Bear, was entrusted to Colonel Strange. The fort was reoccupied, but when Big Bear was brought to bay, some distance from Fort Pitt, Strange found himself unable to oust him from his position, much less to effect his capture. But the backbone of the rising was broken; the Indians rapidly deserted their leader, and Big Bear himself was captured a little later by a handful of police. In order that no accusations of unfairness might be justified, the Dominion authorities determined that the more culpable of those concerned in the revolt should be dealt with, not by courtmartial, but by the regular courts of the land. Riel, after a full and fair trial by jury,

was found guilty, and, although a series of appeals and reprieves delayed the disposition of his case, he was finally executed at Regina, notwithstanding the vigorous protests of his co-religionists of Quebec. Those of the rebels who had been directly concerned in any of the murders received a like penalty, while Poundmaker and Big Bear escaped rather lightly with three years' imprisonment. A host of minor charges against several scores of half-breeds and Indians were disposed of by the imposition of short terms of incarceration. On the whole, the authorities diluted justice with mercy more plentifully than the offenders had any right to expect. In Parliament the affairs of the rising left their legacy of party bitterness, and the Macdonald administration had its hands full to keep its French-Canadian following in line. Quebec was furious with indignation over the execution of Riel, but provincial wrath subsided as rapidly as it had risen. The opposition in Parliament vented its thunders on the ministry for having allowed grievances to drift into disaffection, nor did the conduct of the militia department, in suppressing the revolt, escape criticism. But in the end the government was able to more or less fully justify its action in both directions. The opposition leaders fought strenuously to acquire political capital out of the rebellion and the legacy of bitterness which it bequeathed, but the ministerial ranks in the House suffered little from their oratorical bombardments, and when a direct motion was put expressing its approval of Riel's execution, many of the English-speaking Liberals rallied to the side of the ministry. In the general election of 1887 the pro-Riel cry was used in Quebec with good advantage, and the government found its delegation from that province very substantially reduced. But elsewhere the Macdonald administration managed to hold its ground and came back to meet the House with a fair working majority of over thirty members, which was subsequently increased considerably by the bye elections of the next year. In 1888, Lord Lansdowne's term expired and Lord Stanley succeeded

to the post of governor-general. His advent was soon followed by the appearance on the political horizon of a new source of friction. This was the vexed question of the Jesuits estates. For many years a claim had been pressed by the Jesuit Order against the Province of Quebec for compensation in the matter of certain estates which had been assumed by the Province at the time of the temporary cessation of the order in Canada.

The Quebec government, primarily in order to strengthen itself with the Roman Catholic hierarchy in Quebec, secured the passage of an Act granting the order some one million dollars in full settlement of these claims—a concession which displeased not alone the Protestant minority in Quebec, but raised a cry from their co-religionists of the other provinces. Pressure was brought to bear on the Dominion authorities to disallow the measure, but they consistently refused, nor was the opposition in Parliament prepared to take a stand in favor of disallowance, for the motion of disallowance received only thirteen votes. The motion gave rise to a small faction known as the Party of Equal Rights which, in the course of a few years disappeared. But during its short career the Equal Rights Party stirred up a controversy over its proposal to abolish French as one of the official languages in the Northwest Territories.

Early in 1891, although the existing Parliament had not completely exhausted its legal lease of life, Premier Macdonald and his colleagues decided upon an appeal to the country. The British system of parliamentary government, which places in the hands of the dominant political party the decision of the time at which a general election shall take place, can be utilized to catch an opposing party unawares, and it would seem as if the Canadian Liberals were more or less unprepared for a contest when notice was given on the 4th of February, 1891, that a general election would take place on the 5th of the following month. However, the contest proved to be one of unusual bitterness;

the old chieftain of the Conservatives threw himself into the fight with unimpaired energy despite the fact that he was now considerably beyond the allotted span of threescore and ten. By a vigorous insistence on the necessity of maintaining the National Policy (protectionism) the Conservatives managed to retain their hold in the House of Commons, though with a somewhat reduced majority.

The victory was, however, dearly bought, for the burden and heat of the day proved too much for Macdonald. Within a few weeks after the close of the campaign he was stricken down with his last illness, and died on June 6th. Parties and factions, for the time being, hushed their strife in sincere effort to honor the memory of a man whose rare political genius had for more than a quarter of a century made him the most conspicuous figure in the history of the land. The atmosphere in which he lived the later part of his life was so surcharged with political animosities that even yet it is not easy to offer a fair estimate of his life and accomplishments. To his personal and political friends he was a man of rare sagacity, of the most remarkable political tact; an adept in the handling of men. Thousands of Canadians still reverence his memory as that of a true and broad-minded patriot who set the welfare of the Dominion far before his highest personal ambitions. On the other hand his foes—and they were not few—have in many cases been inclined to regard him as an unusually successful type of the professional politician, as the possessor of many serious personal blemishes, as a political sinner of the most decided stripe. What his friends have termed political shrewdness, his enemies have regarded as partisan unscrupulousness. Not until another decade has passed away will it be safe for the historian to attempt a fair and impartial survey of the closing events of his long ascendancy. In the meantime, it is well not to forget the difficulties with which he had to contend. He had to deal with antagonisms of race, to reconcile the impulsive French-Canadian—a beginner in the art of self-government—with

the sober Anglo-Saxon into whom the art of political self-control had been drilled for centuries. He had to deal with religious antagonisms, to mollify the aggressive Orangeism of Ontario, and to curb the imperiousness of Quebec ecclesiasticism. He had to deal with inter-provincial jealousies, to placate the Maritime Provinces without antagonizing the more populous regions of Canada proper; in a word, to keep a far from homogeneous septette of political atoms welded into a compact whole. These, moreover, were only the larger difficulties. In addition he found no dearth of those minor obstacles which wear out the life of anyone whom fortune places in positions of responsibility. The reconciliation of opposing personal interests among his followers, and of opposing economic interests in different parts of the country, the placating of the never-failing horde of seekers after the loaves and fishes;—these and a hundred other difficulties of a like nature beset his path in more than ordinary profusion. The wonder is, not that he was unable to secure entire harmony, but rather that he was able to unite discordant elements so well. A personal magnetism almost unique in the political annals of Canada does not suffice to explain all; some statesmanlike qualities of the highest order must have been at his disposal.

On the death of Sir John Macdonald, Sir J. J. C. Abbott succeeded to the premiership, but after less than a year's tenure of office he gave way, owing to failing health, to Sir John S. D. Thompson. The new premier, on his accession to office, had to deal with the important question of the Behring Sea seal fisheries. As far back as 1886 difficulties had arisen between the American and Canadian sealing vessels in the waters off the Alaskan coasts, and these quarrels soon assumed a serious character. The authorities of the United States claimed that Behring Sea was a *mare clausum*, or closed sea, and that, in consequence, foreign sealers might be excluded from its waters at the discretion of the United States. The Canadian government, on the other hand, denied that American jurisdiction could legally

be exercised outside the "three-mile limit" prescribed by international law, and in this view the British authorities concurred. During 1893, however, an arrangement was made whereby the antagonistic claims were referred for adjustment to a Court of Arbitration which met at Paris. By the decision of this court the American claim to exclusive jurisdiction over the waters of Behring Sea was denied, but provision was made for the regulation of the sealing industry in such way that the animals should not be exterminated by indiscriminate slaughter. Both countries were to join in the enforcement of these regulations, and the United States was to indemnify the owners of such Canadian sealers as had been seized in the disputed regions.

Toward the close of 1894, Sir John Thompson died suddenly in England, and Sir Mackenzie Bowell succeeded to his post. The death of its great leader, Macdonald, had served to greatly weaken the Conservative party, and although it possessed a strong majority in the House of Commons, internal discord was showing itself more clearly as the months went by. The climax came during the next year when the legislature of Manitoba passed an act providing for the abolition of the Separate (Roman Catholic) schools in that province. These schools had been maintained for the benefit of Roman Catholics out of special taxes levied on all taxpayers of that faith, but collected by the public tax gatherers. The British North America Act of 1867, however, had provided (Section 93) that "where in any province a system of separate or Dissentient Schools exists by law at the time of the Union, or is thereafter established by the Legislature of the province, an appeal shall lie to the governor-general in Council, from any Act or Decision of any provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education." And in the next subsection of the Act power was given to the Parliament of Canada to make such remedial laws as would enforce the educational privileges to religious minorities thus guaranteed.

Accordingly, an appeal was taken to the governor-general in Council, and the Federal Parliament was called upon to grant such remedial legislation as would reëstablish the separate school system in Manitoba against the almost unanimous decision of the provincial legislature. To the Conservatives the problem was a difficult one. To refuse the remedial legislation was certain to antagonize the Roman Catholic hierarchy in Quebec which had rendered the party staunch service during Macdonald's long terms of office. To coerce Manitoba was bound not only to be difficult, but to alienate a large section of the Protestant majorities in the English-speaking provinces of the Dominion. In the end the Conservative government decided to pursue the latter course, and, as a result of the party divisions arising therefrom, Sir Mackenzie Bowell was forced to resign the post of premier, giving place to Sir Charles Tupper, Bart., who now gave up his place as high commissioner for Canada in London and returned to lead the party. In the elections of 1896, the question of remedial legislation formed a main issue and with most disastrous results as far as the Conservatives were concerned. For the first time since 1878 the Liberals were returned with a comfortable majority, having carried the province of Quebec despite their opposition to remedial legislation. Hon. (now Sir) Wilfrid Laurier, formerly leader of the Liberal opposition in the House of Commons, now became prime minister, inaugurating a régime of Liberal government in the Dominion which has continued down to the present day; for in the elections of 1900 the people reiterated at the polls their confidence in his policy and administration. During these years political affairs have been comparatively tranquil. The Senate, which, during the long Conservative régime, had become firmly controlled by that political party, gave the new administration some difficulty during the first few years of its tenure of power, and there was considerable feeling in some quarters that the Senate should be reformed. With the lapse of years, however, the filling of vacancies with men

drawn from the Liberal ranks has served to give the administration control of the Upper House. These latter years have not, at the same time, been barren of important events other than political. The rapid development of the Canadian Yukon owing to the gold discoveries is one feature which deserves at least a passing mention. Canadians, moreover, were keenly interested in the South African conflict, in which several regiments drawn from the militia of the Dominion rendered efficient service to the cause of the motherland. This, with the adoption by the Canadian Parliament of a preferential tariff in favor of British products and the completion of a Pacific cable to Australia, have served to draw the outposts of the empire closer together. More recently the decision of the Alaskan Boundary Commission has removed from the field of diplomacy a cause of friction with the United States, while the *rapprochement* of Great Britain and France involving, as it did, a settlement of the French Shore difficulty, was hailed with sincere satisfaction by the people of the Dominion. The last few years, moreover, have been years of unusual prosperity; emigration to Canada has greatly increased; the resources of the land have been developed with unusual rapidity; the government has found at its disposal a comfortable annual surplus, and proposals have been made and have received parliamentary sanction for a new transcontinental railroad, extending from Quebec to the Pacific Ocean. Intellectual progress has kept pace with material; in education, science, art, and literature one finds ample evidences of substantial growth, and with this has come a deepening in the spirit of nationality. The child of two great nations, the Dominion may now fairly be said to have won herself a place among the nations of the world.

CHAPTER XIX

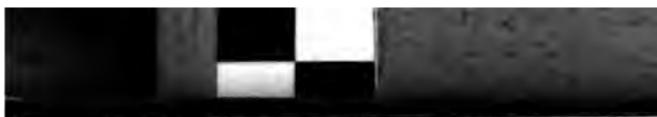
NEWFOUNDLAND

THE discovery of Newfoundland is usually credited to the Cabots, but there are those who claim that the fishing grounds off the shores of that island were known to French fishermen long before John Cabot set sail from Bristol in 1498. Whether this be true or not, it is beyond doubt that during the first quarter of the sixteenth century fishing vessels of various nationalities frequented the banks of Newfoundland in very considerable numbers and garnered in a lucrative harvest from the sea. In fact, it is very probable that Jacques Cartier, the St. Malo navigator, had already made numerous fishing voyages to the Newfoundland coasts before he undertook, in 1534, to seek a northwest passage to the East. The fishing harbor of St. Catherine was undoubtedly well known to him, for after crossing the Atlantic he put in there to refit his two vessels after their stormy voyage. And it will be recalled that it was in what is now the harbor of St. John's that Cartier and Roberval had their rendezvous. But none of these visits resulted in any attempt at colonization, and for a half century or more after Roberval's failure on the St. Lawrence both Canada and Newfoundland were all but forgotten by France.

During this period, however, French fishermen resorted to the Newfoundland banks in increasing numbers. The glowing accounts which they gave concerning the richness of the fisheries induced adventurous seamen of other nationalities to imitate their example, and it was not long before

fishing vessels from Portugal and England resorted to the banks in goodly number. A little later the Dutch and Spaniards sought a share in the returns, and it is estimated that by 1575 nearly three hundred vessels of all nationalities were plying their trade in the waters of Newfoundland. From time to time projects had been set afoot in various countries for the colonization of the island, but without success, and it was not till 1583 that Englishmen made their first serious attempt in this direction. In that year, Sir Humphrey Gilbert, one of the adventurous and chivalric seamen of Elizabethan England, organized, under authority of the crown, a well-equipped expedition and set forth to plant a colony in Newfoundland. With four vessels, having on board somewhat over two hundred and fifty men, many of whom were skilled mechanics, Gilbert set out and in due course reached the harbor of St. John's. Here he made his landing, and in accordance with the terms of his charter, took formal possession of the harbor and of all territories within a radius of two hundred leagues. Laws were enacted for the governance of the little colony, and an attempt was made to subject to Gilbert's authority all the fishing vessels on the banks. But fortune failed to favor the enterprise. Many of the colonists, finding pioneer life irksome, deserted the settlement and made their way home on board fishing vessels. In the course of some Gulf explorations Gilbert had the misfortune to lose his largest ship, and this, together with the fact that provisions were running low, decided him to abandon the settlement rather than face the hardships of a winter. So the colonists embarked in the remaining vessels and started for England. On the way across violent storms were encountered and one of the vessels—the smallest of the three—was lost. As the chivalric Gilbert had chosen this as his flagship he perished with his companions. So ended the first English attempt to found a colony in North America.

For the next quarter of a century, while Champlain and his associates were laying the foundations of a French



Rt. Hon. Sir John Alexander Macdonald.
First Premier of the Dominion.



Sir Wilfrid Laurier.
Premier of Canada since 1896.



empire on the St. Lawrence, Englishmen turned their attention to Virginia and the southerly territories where a more propitious climate seemed to promise an easier road to success. English fishermen, however, still flocked in large numbers to the Newfoundland fishing grounds, and their leaders still undertook to domineer over the fishermen of France, Spain, Portugal, and Holland in these waters. An abortive attempt to found a colony at Conception Bay was made in 1610 by the newly organized "Company of London and Bristol Adventurers and Planters," which included among its stockholders the illustrious philosopher-statesman Francis Bacon. The company sent out a handful of settlers under one John Guy, but most of these remained only till autumn. A few stayed and made a business of drying and curing fish on the shores. From time to time during the next decade the English Admiralty granted commissions to leaders among the English fishermen frequenting the banks empowering them to maintain order among the turbulent crews of various nationalities. Those so commissioned were known as the "Fishing Admirals," and from the rough-and-ready fashion in which they maintained at least a semblance of concord among the hundreds of vessels fishing in Newfoundland waters every summer, these men earned a unique place in the early history of North America. Perhaps the most picturesque of the "Admirals" was Captain Richard Whitebourne, who visited the banks almost every summer for forty years, and on his retirement published a small work on Newfoundland which aroused in England considerable interest in the fishing grounds.

In 1623, another attempt was made by Englishmen to colonize the island, this time on a somewhat larger scale. In that year George Calvert, an Irish landholder who had been recently raised to the peerage as Lord Baltimore, received from James I. a grant of the southern part of Newfoundland as a palatinate with almost royal authority. Colonists were sent out and a settlement made on the southern peninsula, to which Baltimore gave the name

Avalon. Baltimore built for himself a pretentious house in the settlement and transported his family thither. But the little colony, in spite of its founder's generous expenditure of energy and means, made very little progress. The winters were severe, the soil disappointing in fertility, and the French fishermen showed open hostility to the settlers. By 1629, Baltimore's hope of maintaining a prosperous colony at Avalon had vanished, and a little later he returned to England, where, some time afterward, he received a grant of the territory which became the colony of Maryland. Many of Baltimore's colonists, however, remained at Avalon and their little coast settlement of Verulam has survived to the present under the corrupted name of Ferryland.

For the next half century, population increased very slowly; at no time did it number more than a thousand. Of this number practically all were engaged either in looking after the curing grounds and fishing gear or in the prosecution of the fur trade of the island. Almost no attention was given to agriculture, and no industry of any kind existed. While vessels of all nationalities resorted to the banks, the English claimed and made good a position of control over the island itself, and the fishing merchants of that country very jealously guarded the right of settlement. None but English vessels were allowed to dry or cure fish ashore. In 1635, however, the French obtained permission to land and dry fish at certain points in return for a payment of five per cent of the value of their catch to the English fishing merchants. This permission marks the beginning of the "French Shore" difficulties of which mention will be made a little later. The French took advantage of the permission to found a settlement at Placentia in 1660, and this spot they later fortified. During the reign of Charles II., when relations between the courts of England and France were amicable, the French government obtained for its fishermen a remission of the five per cent tax, and the influence of the French on the island expanded to proportions which were dangerous to English interests. Repeated

protests were made to the English government on this score, but James II. would lend no aid in opposing the French encroachments. So the French maintained their sphere of influence with its centre at Placentia, while the English were established at St. John's and along the neighboring coasts.

Thus matters remained until the outbreak of King William's War. During the greater part of this war the operations in Canada and Acadia engaged the full attention of the respective contestants, so that no hostilities took place in Newfoundland. But in 1696, Le Moyne d'Iberville, flushed with his success at Pemaquid, repaired to Placentia, and there, with the aid of some St. Malo fishermen and some marines sent from Quebec, managed to organize a considerable expedition against St. John's. The capture of this latter settlement was comparatively easy for it was without any garrison, and the poorly armed inhabitants made but a feeble resistance. The settlement was pillaged and burned, and the inhabitants were sent as prisoners to Placentia. All along the coast were small fishing hamlets, and these were likewise destroyed by D'Iberville's men and the fishermen carried off to the French settlement. The total number of prisoners ran well up into the hundreds, but as the French had but meagre facilities for guarding the captives, many managed to escape. After great privations most of these returned and rebuilt their old settlements. By these operations France obtained virtual possession of Newfoundland. But by the Treaty of Ryswick, which closed the war in the following year (1697) France and England agreed to restore all territories taken during the campaigns, leaving their original claims undecided. Provision was made for the determination of these latter by a joint commission. In Newfoundland, therefore, matters were left eventually just as they had been before the war.

During the next decade and a half the British population at St. John's and elsewhere along the coast increased slowly. The fishing hamlets were rebuilt, but no garrison was ever sent out by Britain to afford protection in the

almost perfect safety, while the ravages of the war in Europe threw the European fishing industry into chaos. For the time being it was not too much to say that Newfoundland ruled the fish markets of Great Britain. Under the impetus of the prosperity which this induced, settlers came to Newfoundland in large numbers; it is estimated that not less than seven thousand emigrated to the ancient colony in 1814 alone. An indisputable evidence of progress may be found in the fact that in the two decades which had elapsed since the close of the Revolutionary War the population of the island had increased sevenfold or from ten to seventy thousand. And it must be borne in mind that Newfoundland received a very small share of the United Empire Loyalists who left the seaboard colonies after their attainment of independence.

But after 1815 the inevitable reaction came. With the close of the Napoleonic wars European competition again operated to cut down the profits of the fishing industry, and as almost no attention had been given by the islanders to any other branch of economic activity, the result was a severe and prolonged depression. To add to the misfor-

and from about 1820 onward there was a growing clamor for some measure of representative government. For over a decade the agitation was unsuccessful chiefly owing to the opposition of the St. John's merchants and their friends who thought that the vesting of political power in the hands of an elective Assembly might be inimical to the financial interests of those who controlled the fisheries. But by 1832, the opposition of these had been overcome and Newfoundland received permission to elect her first popular Assembly. This Assembly was to consist of fifteen members elected from the nine electoral districts into which the island was divided. The Upper House or Legislative Council consisting of nine members was, however, to be an appointive body, and in addition to its legislative functions served as an executive council or governor's ministry. It was soon seen that this system would not work smoothly, for the Legislative Assembly had not been given any means of controlling the executive branch of the administration. In fact, the situation was much the same as in the Canadian provinces before their union. The governor and his appointed councillors refused to hold themselves responsible to the representatives of the people; the people, on the other hand, demanded that they should do so. The relations between the executive and the legislature fortunately did not become so strained as in the Canadas, nor did the differences between the two ever lead the colony into the vortex of rebellion. In 1842, the home government sought to solve the political problem by amalgamating the Legislative Council with the Assembly, but after a number of years' fair trial this system was found unworkable, and, in 1849, the two Houses were allowed to resume their separate existence. In this form matters drifted on till 1854, when responsible government was eventually conceded. In accordance with this system, under which the political affairs of Newfoundland are administered at the present day, the chief executive official of the colony is a lieutenant-governor appointed by the King of Great Britain and Ireland and

representing the sovereign power in the colony. This official is assisted by an executive or advisory council of seven ministers chosen from among the members of the two legislative bodies of the colony and responsible directly to the Legislative Assembly. The Legislative Council or Upper House consists of fifteen members appointed by the lieutenant-governor in council, while the Legislative Assembly is composed of thirty-six members elected from territorial constituencies delimited by law, for a four year term and on a basis of manhood suffrage. In almost every respect the political system of Newfoundland is a reproduction in miniature of that of Great Britain.

The winning of responsible government encouraged the islanders to hope that the way was now open for the full discussion and probable settlement of the fisheries question, which had been for some years engaging the attention of the executive in the colony. It was felt that the existence of important French interests was retarding the progress of a considerable area in the colony, and it was earnestly wished that some arrangement might be made with France whereby her interests would no longer be allowed to stand in the way of various projects which the authorities of Newfound-

down the very welcome principle "that the consent of the community of Newfoundland is regarded by her Majesty's government as the essential preliminary to any modification of their territorial rights." Strict adherence to this principle of political conduct would perhaps have served to delay the settlement of a vexing international question, but it would undoubtedly have bettered the relations between the colony and the motherland.

During the next decade there was little to disturb the political tranquillity of the insular colony with the exception of a disagreement over financial matters between Governor Sir Alexander Bannerman and the colonial secretary during the course of 1860-1861. The disagreement led to religious bickerings, and in the elections of the latter year a number of very serious encounters took place between Protestant and Roman Catholic partisans. Matters were eventually settled satisfactorily enough, but not before some lives were lost and considerable property destroyed. A little later, in 1864, when the Quebec Conference met, the government of Newfoundland was invited to send two representatives to discuss the project of a general confederation of all the British North American provinces. The island government accepted the invitation and named two prominent political figures, Hon. F. B. S. Carter and Hon. Ambrose Shea. On their return from the conference the proposals were fully discussed, and in due course were laid before the legislature in the governor's speech from the throne. In reply the legislature passed a resolution, in the course of which the advantages of confederation were admitted to be "so obvious as to be almost universally acknowledged." At the same time the resolution went on to declare that as far as Newfoundland in particular was concerned, the desirability of confederation on the terms proposed was not so clear, and in the end the colony refused to enter the union.

But the matter was not allowed to drop. Two years after the confederation of the other provinces had become

an accomplished fact, negotiations for the entrance of Newfoundland into the Dominion were set afoot. The island Council and Assembly passed resolutions stating the terms upon which they would agree to enter the confederation, while the Parliament of Canada drew up and passed a series of counter proposals. In the course of June, 1869, a conference was held between delegates from the two governments concerned in the hope that the interests and demands of the two could be harmonized, but nothing tangible resulted. From time to time, during the past thirty-five years, the matter has been reopened at the request of either one or the other government. In 1888, an effort was made to procure another conference between the two governments, but it was found impossible even to agree upon a place or date of meeting. Four years later, when a conference was held at Halifax to discuss several matters in connection with pending fishery, boundary, and tariff questions, the Canadian government proposed the entry of Newfoundland into the Dominion as the best solution of all the problems involved; but the Newfoundland delegates refused to discuss the matter of terms. Once more, in 1895, a conference of delegates was held at Ottawa, but after a fortnight's deliberation it was

which, it is hoped, has been satisfactorily settled within the course of the present year (1904). As has been already pointed out, the terms of the Treaty of Utrecht (1713) as reinforced by the Treaties of Paris (1763) and of Versailles (1783) guaranteed to fishermen of France the rights of taking, curing, and drying fish, together with the privilege of erecting buildings and works in connection with the fisheries along the whole western shore of Newfoundland, from Cape Ray northward to Belle Isle, and from this latter point down the eastern shore as far as Cape St. John. There were certain other privileges, more or less indefinitely determined, such as exemption from duties and the like, which gave the French fishermen a decided advantage over islanders engaged in the industry. The British government, in the treaties named, guaranteed that it would prevent its subjects from in any way interfering with Frenchmen in the exercise of these rights, and it was in this connection that difficulties soon began to arise. France interpreted the treaties as giving her subjects complete exemption from colonial jurisdiction and as giving her a predominant economic interest in the area over which her privileges extended. During the first three-quarters of the nineteenth century the French government steadily contended that any British settlement or the establishment of any important British industries along the "French Shore" would be an infringement of the exclusive rights enjoyed by her citizens. Consequently nearly one-half the colony—and this was, perhaps, the most fertile half—was seriously retarded in its development. Furthermore, as the colonial authorities were denied jurisdiction over this area, the population lived almost without law and used their freedom to carry on a wholesale system of smuggling to the serious depletion of the colonial revenues. It was not until 1877, that the colony was eventually allowed to establish courts of justice and custom houses within the pale; the restrictions on industry and colonization remaining, however, in full force. A signal example of the manner in which the situation retarded the

development of the island was given in 1878, when the colonial authorities chartered a company to construct a railroad along the northeast coast of the island with a view to opening up to settlement the rich regions in that direction. As part of the proposed line would cross territory included within the "French Shore" the British government was under the necessity of refusing its sanction to the charter. This action naturally engendered considerable resentment on the part of the island population, for a people can hardly be expected to stand idly by while the development of half their territory is strangled to suit the convenience of a foreign power. In an endeavor to stave off serious trouble over the whole question the governments of Great Britain and France concluded a working agreement or *modus vivendi*, but this the Newfoundland government refused to accept, and the agreement had to be enforced by the joint action of the British and French naval forces. This naturally involved friction, and matters became grave at one point, when, in 1890, Admiral Walker in command of the British patrolling fleet was arrested, and tried and condemned in the Newfoundland courts for interference with colonial fishermen in his effort to compel observance of the

will not stand in the way of colonial progress as far as Newfoundland is concerned.

It was during the most critical period of the estrangement between the colonial and British governments as the result of naval interference with Newfoundland fishermen that the island authorities concluded with the government of the United States the commercial agreement popularly known as the "Blaine-Bond Treaty," from the fact that it was negotiated in 1890 by the Hon. Robert Bond, of the Newfoundland ministry, and the Hon. James G. Blaine, secretary of state of the United States. The treaty very probably accorded to the United States greater benefits than the latter country was prepared to give in return, but in the prevailing state of public opinion on the island the agreement was cordially received. The Canadian government, however, regarded some of the terms as involving a discrimination against the Canadian provinces, and requested the imperial authorities to veto the treaty; and to this request the latter acceded, much to the disgust of the islanders. For a time, the ancient colony entertained very considerable bitterness over the outcome, but this has gradually subsided and the relations of the island authorities with both the imperial and Canadian governments are at present more cordial than they have been for many years.



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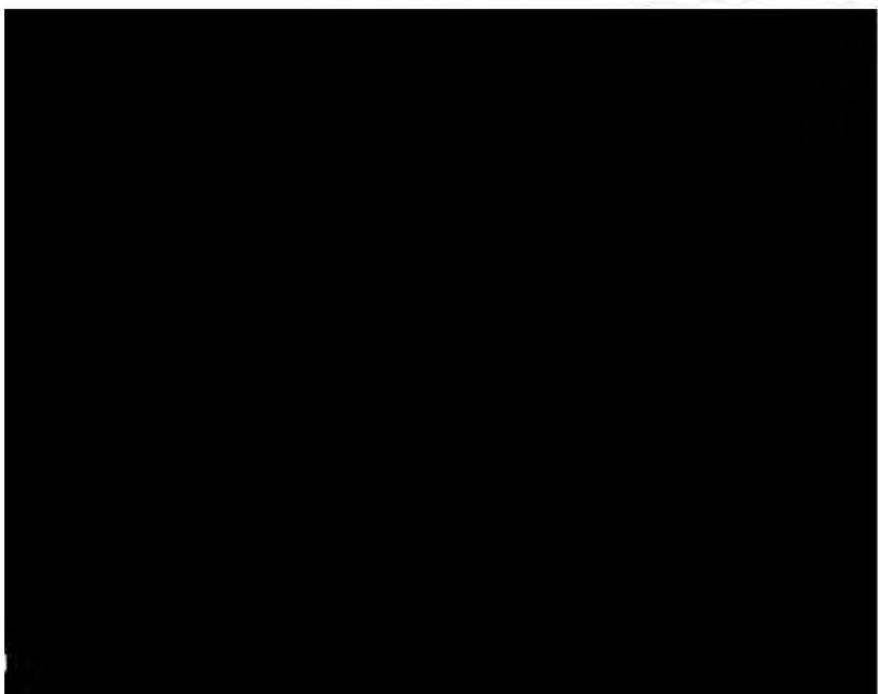
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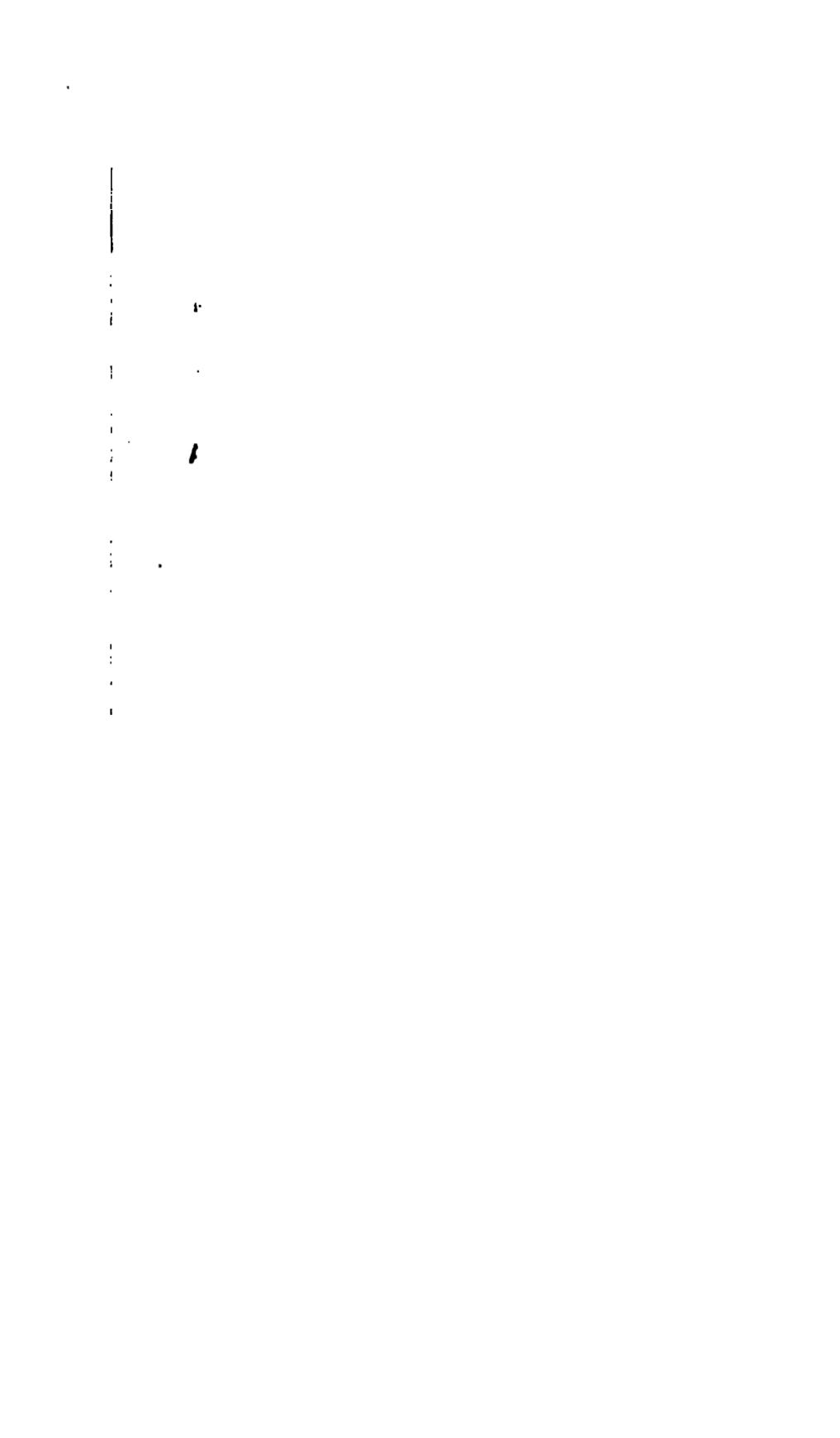
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